REPORT

OF THE

COMMISSIONER OF INDIAN AFFAIRS

TO THE

SECRETARY OF THE INTERIOR

FOR THE FISCAL YEAR
ENDED JUNE 30
1910

WASHINGTON : GOVERNMENT PRINTING OFFICE : 1911

CONTENTS.

ILLUSTRATION.

REPORT OF THE COMMISSIONER OF INDIAN AFFAIRS.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, November 1, 1910.

SIR: I have the honor to transmit herewith the Seventy-ninth Annual Report of the Office of Indian Affairs covering the period July 1, 1909, to June 30, 1910.

EMPLOYEES.

Several changes in the policy of the service have been made with a view to improving the personnel and increasing the efficiency of its employees. The constant shifting of employees from one school or agency to another has in the past been the bane of the Indian Service personnel. For various reasons, either through the importunities of the employees or their friends or on account of some dissatisfaction, the pressure to make these changes has been exceedingly great. The evil has been largely eliminated by prohibiting transfers at indiscriminate times during the fiscal year. This rule has been closely adhered to with reference to the schools, with the consequence that now these changes, with few exceptions, are limited to vacation periods. The beneficial effects of this policy are far-reaching in that it has eliminated from the minds of the employees ideas resulting from a constant desire to change and has relieved the officers in charge from the necessity of breaking in new people at any and all times.

As a corollary of this plan the old system of granting promotions at the beginning of each fiscal year has been done away with, and now promotion is made whenever it is clearly shown that employees are deserving of promotion. This idea is being carefully impressed on the field service, and when thoroughly appreciated it undoubtedly will have the effect of improving the personnel by inculcating greater interest in the work.

There has been marked improvement in the method of handling the employee personnel. Heretofore the record of employees has been kept in large and cumbersome record books. These books have been entirely eliminated and a complete card system installed. This has meant an immense saving of clerical labor and will make the records much more accessible. It also does away with the annual transfer of the entire employee force from one book to another at the beginning of each fiscal year.

A new system of reporting the efficiency of employees has been installed. Instead of continuing the former arbitrary method of rating each employee, the superintendent or other officer in charge gives briefly, in a few strong descriptive words, a clear statement of the employee's efficiency, ability, and industry. These are made on separate sheets and filed in the status record of the employee. Inspecting officers are also required from time to time to make similar reports on employees who have come under their observation. These records are placed in the same file. In this way a complete descriptive history of each employee is immediately available when the question of promotion or transfer or change in position or salary comes up.

The Civil Service Commission has given hearty cooperation to the service in securing high-grade employees for appointment to the field force. The limitations of that service and its difference from the departmental service are given consideration and an earnest effort has been made to provide eligible lists commensurate with practical needs. The service recognizes the value of the merit system as applied to its work. The commission, on the other hand, also recognizes the peculiar difficulties of the work and the liberal treatment required in order to procure proper human material for the work of elevating the Indian and conserving his property.

The rapid development of irrigation and allotment work in the field has clearly shown the necessity for a modification of the usual civil-service procedure in making appointments. This fact has been recognized by the commission and a satisfactory arrangement has been made by appointing local boards of examiners at various convenient points throughout the West. These boards conduct examinations and maintain registers of eligibles for certain classes of positions, and appointing officers resort to them for material from which to select their employees. These local registers are utilized for the large bulk of appointments to positions not requiring clerical or high-grade technical knowledge or experience. The results of this method have been satisfactory and it will undoubtedly be further developed in the future.

The merit system in and of itself can never provide a force of high efficiency. The question of compensation is vital. The compensation must be adequate for the work performed and at least equal to that which the same grade of work commands in the ordinary business world. Without this relative condition of salaries, it is not possible for the Indian Service, with its hardships, its isolations, and its many disagreeable features, to get the best material for its appointments.

The appointment of a special disbursing agent at Union Agency deserves special attention because the plan is to be extended to other large fields of the Indian Service as opportunity may arise. For

years the superintendent at Union Agency has been each year financially responsible for five or six million dollars, in the proper care of which only the qualities of accuracy and integrity are required. The disbursement of these funds necessarily took a large part of the time which he, as the executive officer of the Indian Service among the Five Civilized Tribes should have devoted to the broad questions of general management, to decisions of disputed cases, and to careful watching of the enormous business and human interests of these Indians.

The mere manual labor of signing the immense number of checks and petty details connected with them took nearly half of his time. The special disbursing agent appointed this year will free the superintendent of this unnecessary waste of time and energy in the future. This special agent is bonded in a sufficient amount to care for the fiscal affairs of not only the Union Agency but of the educational work which has been heretofore managed by a separate officer. The superintendent in charge of the agency, as well as the supervising officials in care of education, have been relieved of a tremendous burden of detail and may now be, in fact as well as in name, the executive and administrative officers representing the Government in old Indian Territory.

FARMING.

The Indian Service realizes that instruction in farming is an essential basic part of its present educational policy and is, therefore, making use of every possible resource in order to promote farming among the Indians. Farmers are employed on reservations to teach the Indians how to farm according to the most improved modern methods. Experimental farms have been established in different sections to discover the best crops for the Indians of the district, to improve the quality of the seed, and raise the standard of the product. The cooperation of the Department of Agriculture and the agricultural colleges and experiment stations of the various States has been solicited, and valuable assistance and advice have been procured from those sources in finding what class of cereals, plants, fruits, berries, and other industries carried on by farmers were best adapted to the various Indian reservations. Instruction in agriculture is receiving new emphasis in the schools. The Indians are being encouraged to hold agricultural fairs where their stock and produce are exhibited. The standard of Indian live stock is being raised by cooperation with the Bureau of Animal Industry.

A special examination was held by the Civil Service Commission on March 30, 1910, for the purpose of procuring candidates for appointment as expert farmer, and expert farmers were appointed at the following reservations: Blackfeet, Colville, Fort Apache, Fort

Berthold, Fort Totten, Fort Yuma, Flathead, Klamath, Lac du Flambeau, Mescalero, Nevada, Tongue River, Sac and Fox of Oklahoma, Shoshone, Southern Ute, Uintah, Warm Springs, White Earth, Winnebago, and Yakima. A horticulturist was appointed at the San Juan Agency.

As an example of the sort of result that may be looked for from the experimental farms, I wish to call attention to the work of the experimental farm at Sacaton, Ariz., in raising Egyptian cotton. As a result of two years' experiment sixteen bales of a fine grade of Egyptian cotton, weighing 8,886 pounds, were raised and shipped to New York markets. A small part of this cotton was raised at the Phoenix School. Reliable tests showed that this cotton was very much stronger than ordinary southern cotton and averaged from one-eighth to one-fourth of an inch longer, which made it especially valuable for thread and fine qualities of cotton weaves. This cotton was sold for 31 cents a pound. This price strikingly contrasts with the ruling price for southern short staple cotton, which is 12 to 15 cents per pound. This cotton was raised through cooperative action between the Bureau of Plant Industry of the Agricultural Department and this office. The money and years of effort expended by that bureau in testing Egyptian cotton in Arizona culminated in the production of this quantity of a high grade of cotton. A great opportunity is open for the superintendent of the Pima Reservation on which this cotton was grown, to stimulate the Indians there to successfully raise this high-grade cotton.

The importance of the agricultural fair as a means of stimulating interest in farming among the Indians has been convincingly demonstrated by its success among the Crows. Last year the superintendents of the Tongue River, Fort Belknap, and Fort Peck reservations in Montana, and the superintendent of the Fort Totten Reservation in North Dakota, attended the Crow fair, and reported that such fairs are a benefit on those reservations that have opportunities for growing field crops. The fair promotes healthy rivalry among Indians and furnishes a rational basis for meeting together, which ought eventually to take the place of the indiscriminate gatherings of Indians, which are usually productive of considerable harm. Fairs were held last year at the following reservations: Crow, Capitan Grande, Cheyenne and Arapahoe, La Jolla, Pine Ridge, San Juan, and Southern Ute. Officers in charge of various reservations are being encouraged to hold these agricultural fairs.

On several reservations conspicuous progress in farming has been made during the year.

On the Fort Peck Reservation about 50 per cent of the male adult Indians are cultivating their farms, and there is approximately 3,000 acres under cultivation, an increase of about 50 per cent over last

year. The largest area cultivated by any one Indian is 200 acres. Oats, potatoes, flax, wheat, and corn are the principal crops grown. The market is good. An elevator is now being constructed at Poplar to handle the grain harvested in this vicinity. About 75 per cent of the male adult Indians on this reservation raise stock, ranging from 5 to 100 head each. They have a few more cattle than horses, aggregating about 9,000 head.

On the Sisseton Reservation there are about 220 families engaged in farming, an increase of 25 per cent over the number farming last year. There are about 17,325 acres under cultivation, the best Indian farmers cultivating from 80 to 390 acres. Many of their farms are in excellent condition. Nearly all the Indian farmers have a few head of cattle; during the last two years eight Indians began raising horses. Two hundred and seventy families have distributed among them about 1,300 head of cattle and 2,500 head of horses; the number of horses on the reservation has increased about 50 per cent, and of cattle about 25 per cent over the previous two years.

The Nez Perce Reservation, in Idaho, has 128,000 acres of allotted land under cultivation. Considerable interest has been manifested by the Indians in the planting of fruit trees and plants. One Indian procured from the superintendent 150 fruit trees and planted all of them in good shape. Marketing facilities are excellent.

On the Yakima Reservation, in Washington, there are 60,000 acres under cultivation. Some white lessees of the reservation have established what might properly be called "model farms," and the example set by them is having a noticeable effect upon the Indians. They are imbibing the progressive spirit, and are making rapid advancement.

At the Winnebago Agency wonderful progress has been made. Last year the Winnebagos cultivated only about 3,000 acres of allotted land and it was done rather indifferently. During the present year they have under cultivation more than 8,000 acres, mostly planted in corn, and it is reported to be fully as well cared for as the crop of the average white man. About 75 per cent of the able-bodied adults on this reservation are engaged in farming. Thirty-six of them are farming during the present season for practically the first time. The largest farm cultivated by a single Winnebago Indian contains 200 acres, but many members of the tribe care for farms of 80 or more acres.

Complaint of the prevalence of glanders upon the Indian reservations of North Dakota, South Dakota, Minnesota, Montana, and Wyoming was made during the spring of this year. The state authorities claimed that the disease was being spread by the sale and shipment of Indian horses. The Bureau of Animal Industry, upon request, agreed to make a thorough inspection of all Indian horses in

these States, and to take such action as was deemed necessary to stamp out the disease. This work is in progress at the present time, and very few diseased animals have been found, but all such have been immediately killed and the carcasses burned.

EMPLOYMENT.

The work of the Indian employment bureau has continued to progress. The headquarters of the supervisor of Indian employment are in Denver, Colo. He has four assistant supervisors, at various points in the Indian country, and others will be provided as fast as conditions warrant and funds are available.

One of the most interesting developments of the employment work during the year has been the offer of two large railway systems to provide opportunities for school boys who are learning trades or who are mechanically inclined, and for returned students who have received training in trades. This coöperation should give great impetus to industrial education among the Indians. It will mean that good employment can be found for hundreds of Indian boys and young men at fair wages in the shops of these railroads; at the same time they will have an opportunity to thoroughly finish the learning of their trades and make themselves competent, skilled workmen. From one school alone, at its close this year, 39 boys with trades partly learned were sent to these shops.

The supervisor of employment has in other ways coöperated with the work of the schools. Particular attention has been given to the enlargement of the outing systems of the various reservation and nonreservation boarding schools. Special efforts are being made to get in communication with returned students. Last year the supervisor wrote personal letters to over 600 returned students in which he offered the services of the employment bureau in securing suitable work.

I consider these developments to be of great significance. The systematic connecting of the industrial education of the schools with the real work of the world will mean the dawning of a new day in Indian education, and, from the human side, the bridging over of that critical period in a boy's life when he leaves school and starts to work is a service of far-reaching importance. Sympathetic direction during those two or three critical years will mean the economic and moral salvation of many boys and young men.

A large number of Indians have been employed, as usual, on irrigation works, railway construction, and other projects.

The "Two Medicine" irrigation project on the Blackfeet Reservation, Mont., is furnishing work for a large number of Indians. The overseer in charge reports $53,805.94 earned by the Indians and their

teams during the last season. On May 14, 1910, 133 teams with Indian drivers and other Indian laborers without teams were at work on the project. The drivers earned from $3.50 to $4 a day, and the laborers from $2.24 to $2.40 per day.

The Ute Indians on the Uintah irrigation project earned $16,815.56 last season. This showed considerable progress among these Indians, inasmuch as during the preceding year they earned only about $3,356.48. For the month of April, 1910, these Indians earned $4,992.89 on irrigation work in addition to a very satisfactory amount in mining and other projects. The total earnings of the Ute Indians on various projects this year were $26,476.82.

The district about Phoenix, Ariz., furnishes employment for a large number of Indians in ditch and railroad construction, mining, and general farm work. The monthly reports of the overseer for the past year shows payment to the Indians as follows: October, $14,579.65; November, $14,966; December, $16,078.12; January, $14,699; March, $21,967.25; April, $20,694.94; total, $102,714.96. The report for March, 1910, represents the earnings of 593 Indians. Total earnings for the year, $189,733.94.

The number of Indians employed in logging and milling operations on the Menominee Reservation in Wisconsin averaged 236 per month for the year; their total earnings for that period amounted to $70,179.68.

The sugar-beet district about Rocky Ford, Colo., furnished employment for a large number of Indians, most of whom were boys from the Indian schools in the Southwest. The amount earned by these Indians during the past season was $19,868.80. This work is of great educational value to the boys, as this district is one of the best irrigated agricultural districts in the country, and all the boys come from irrigable sections of the country and from reservations having little or no opportunities of this kind; thus their work will be of the greatest value to them when they ultimately settle at home.

The assistant supervisor at Rocky Ford has his work well organized. He is in close touch with his entire district by telephone, and is equipped to take care of any that are sick. He is in a position to provide employment for Indians, especially returned students from all reservations within a reasonable distance from Rocky Ford. Arrangements have been made to place a number of boys with good farmers where they can work during the winter and attend public schools.

HEALTH.

The Indian Service in its health work is not aiming merely to more effectively care for and cure those that are sick. The reduction of the death rate is not its primary interest. It is working

rather to increase the vitality of the Indian race and to establish for it a new standard of physical well-being. The work is being scientifically developed along lines which have already been successfully tried out by modern preventive medicine. The principal features of this work as it is now organized are: (1) An intensive attack upon the two diseases that most seriously menace the health of the Indians—trachoma and tuberculosis; (2) preventive work on a large scale, by means of popular education along health lines and more effective sanitary inspection; (3) increased attention to the physical welfare of the children in the schools, so that the physical stamina of the coming generation may be conserved and increased.

Special attention has been given to the treatment of trachoma during the year. This was made possible by a special appropriation of $12,000 made by Congress in June, 1909. A hospital was opened at the Phoenix school and placed in charge of one of the best eye specialists in that section of the country. More than 700 cases were admitted to this hospital for operative treatment during the year. In addition to this, two expert physicians and a special nurse have been placed in the field to treat those having the disease. They have visited the various schools and agencies in the Southwest, where the disease is especially prevalent, and after examining the Indians have started appropriate treatment, which has been continued by the local physicians. A third special physician entered on duty in the Northwest on June 1 of this year. The situation is still very serious. The regular physicians have examined approximately 20,000 Indians, and found about 20 per cent of them affected with the disease.

A special appropriation of $40,000 for the relief of distress and the prevention of disease among the Indians will make it possible to vigorously push this fight against trachoma and also to increase the facilities for preventing the spread of tuberculosis. Satisfactory results in the treatment of tuberculosis are being obtained in sanatoria. Special camps and sanatoria have been established at Colville, Wash.; Fort Lapwai, Idaho; Chemawa, Oreg.; Phoenix and Fort Apache, Ariz.; and Laguna, N. Mex. The total number of patients admitted for treatment was 117. Of this number 87 showed marked improvement, some of them being completely recovered. Nineteen were not improved, and 14 died. The sanatoria are being enlarged, and new ones built just as rapidly as conditions will permit.

Systematic efforts are being made to educate the Indians in the schools and on the reservations as to the best methods of treating and preventing the spread of tuberculosis, trachoma, and other infectious and contagious diseases. A manual on tuberculosis, its cause, prevention, and treatment has been published by the medical supervisor and distributed throughout the service. A series of illustrated lectures for a traveling health exhibit are being prepared. A special physician and photographer are in the field securing photographs

from which these stereopticon slides and moving pictures can be made. This exhibit will be sent to the different schools and reservations. One of the most important results of this educational work will be that it will instruct the employees at the schools and agencies of the Indian Service as to the methods of preventing disease, and in this way unite the entire service in the health campaign.

Increased attention is being given to sanitary inspection. It is planned, wherever possible, to have a house-to-house inspection by a physician of all Indian homes on a reservation. This will make it possible not only to accurately learn the extent of disease and provide for proper treatment, but it will also make it possible for instruction to be given the Indians as to how they may improve the sanitary conditions of their homes, and thereby prevent disease in future. A beginning in this work was made last year on the White Earth Reservation, where the need was pressing. Two special physicians were authorized to carry on the work. More than 200 homes were visited and 1,266 persons examined. Of this number 690 had trachoma and 164 tuberculosis in its various forms. Only 25 per cent of the homes visited were considered sanitary. This work will be vigorously followed up during the present year until the whole reservation is covered. Arrangements have been made with the Bureau of Animal Industry to make an inspection and test for tuberculosis of all the dairy herds in the service. The sanitary inspection of the equipment and methods for the production and handling of the milk supply is included. This work is now in progress.

The medical supervisor is having the schools in the service systematically inspected with special attention to ventilation, disinfection, and personal hygiene. He has recommended, where practicable, the construction of screened porches for sleeping quarters for pupils whose physical condition is not up to the standard. All pupils presented for admission to a boarding school are given a thorough physical examination. If a child is found to be affected with any disease that would probably be made worse by attending school or that would endanger the health of the other pupils he is not admitted. Three of the reservations where the greater number of day schools are located, namely, Cheyenne River, Pine Ridge, and Rosebud, have a day-school physician, who makes regular visits to each of the day schools under his supervision to look after the health of the pupils and to see that proper hygienic and sanitary conditions are maintained in the schools.

CANTON ASYLUM.

Relief is now in sight for the overcrowded conditions at the Canton Asylum. There are 102 insane Indians in the United States. Sixty of these are in the Asylum for Insane Indians at Canton, 24 are being cared for in state asylums, and 18 are receiving no treatment at

all. An appropriation of $25,000 made at the last session of Congress will permit of an addition which will provide room for all those in need of immediate care and treatment, including the transfer of those from the state institutions where formal requests have been made. The office will also be able to provide wards for the special treatment of cases of acute insanity and quarters for patients suffering from tuberculosis.

SUPPRESSION OF LIQUOR TRAFFIC.

An appropriation of $60,000 was available for the suppression of the liquor traffic among the Indians during the fiscal year. The original appropriation of $50,000 was increased by an additional $10,000 for the fiscal year 1911, which was made immediately available. As a result of this increased appropriation unusually extensive operations were conducted covering practically every State of the Union in which Indians resided. During the year 1,657 new cases were placed on the dockets, 1,657 arrests were made, 747 indictments secured, and 1,055 convictions obtained. Cases against 280 persons were dismissed and 23 persons were acquitted.

Special attention has been given to the sale of liquor to Indians in Minnesota. In August the superintendent of the White Earth Reservation served formal notice on all the saloon keepers in the villages of the White Earth Reservation to close their places within thirty days. After the thirty days had expired, Chief Special Officer Johnson and his deputies closed the saloons in Mahnomen, Waukan, and Calloway and destroyed about 1,300 gallons of whisky, for which he and the nine deputies were imprisoned by the local authorities, but were released on a writ of habeas corpus by the United States court.

On September 17 the chief special officer sent out a circular calling attention to article 7 of the treaty with the Chippewa Indians of February 22, 1855, saying that thirty days after date the provisions of that section would be enforced within that part of Cass County lying above township 138. This closed about 25 saloons. On November 25, 1909, and January 15 and April 8, 1910, more circulars were issued extending the closed territory, to which the provisions of the treaty of February 22, 1855, and October 2, 1863, would apply. The following counties or parts of counties in Minnesota were affected: Norman, Mahnomen, Clearwater, Beltrami, Itasca, Crow Wing, Cass, Wadena, Ottertail, Clay, Becker, Hubbard, Polk, and Red Lake.

About 100 saloons have been closed in this section, many gallons of whisky destroyed, and many convictions secured. This vigorous action has had great deterrent effect.

The campaign has been markedly successful in arousing interest in the Government's efforts to protect its wards from the introduction and sale of liquor. The interest was manifested in many commendatory letters from local persons and others interested in the welfare of the Indians. On the other hand, vigorous opposition has been encountered from special interests and others who feel that the Federal Government should not interfere in such matters. This opposition has crystallized into appeals to the President and other prominent officers of the Government.

One of the most hopeful features of this work is the increasing cooperation of the state officials in protecting the Indians from the influence of liquor. In some States the officials have employed men to discover those selling liquor to Indians. In others they have agreed not to license any additional saloons, and in some States the county officials have passed ordinances prohibiting the sale of liquor to Indians.

The superintendents of the various reservations and schools are realizing the importance of this work and many cases have been secured by them independent of the operations of the chief special officer. The superintendents in each State have been given copies of the state laws on the sale of liquor to the Indians in order that they may more intelligently work on local cases.

It is gratifying to find in a few cases that the Indians themselves have circulated petitions addressed to the home city or town councils asking that saloon licenses be revoked and the places closed.

An act was passed by Congress during the year, amending the act of May 29, 1908, for the sale and disposition of a part of the Standing Rock and Cheyenne River reservations and provided that for a period of twenty-five years the lands allotted, retained and reserved, as well as the surplus lands sold, etc., shall be subject to all the laws of the United States prohibiting the introduction of intoxicants into the Indian country.

SCHOOLS.

An improvement of signal importance has been made in the administration of the schools of the service by providing for an adequate system of supervision. The whole territory has been divided into six supervisory districts with a supervisor in charge of each. The districts are as follows: First district, New Mexico, Colorado, Utah, and Wyoming; second district, Arizona, California, and Nevada; third district, Iowa, Nebraska, and South Dakota; fourth district, Oregon, Washington, Idaho, and Montana; fifth district, North Dakota, Minnesota, Wisconsin, Michigan, and other Eastern States in which Indian schools are located; sixth district, Kansas and Oklahoma.

A chief supervisor of schools has been appointed to have general direction of all the supervisors. The work of these supervisors is not to be inspection, they are to devote their energies to constructive work. By positive suggestions based upon a sympathetic understanding of each teacher's problems, they should inspire the entire school service to a new standard of efficiency. I also look for important results in the way of bringing better order out of the present unorganized condition of the school system.

A comprehensive survey of the condition of the schools throughout the service was made last year. Out of a school population of about 40,000 (this does not include the Five Civilized Tribes), there are in school 29,185, leaving out of school 10,815. Including public schools within reach of Indian children, there are accommodations for 6,344 being unused, thus leaving 4,471 for whom there would appear to be no school accommodations. The chief supervisor of schools is of the opinion, however, that with the exception of the Navajos and Apaches, all other Indian children can be well cared for in schools already in existence. With the exception of these tribes there will probably be no further need of new boarding schools.

A change was made during the past year in the basis of support of the nonreservation boarding schools which will do away with some serious evils of long standing. Hitherto the appropriation for the support of nonreservation schools has been based upon the number enrolled in the school. A per capita allowance of $167 was granted each school for every pupil regularly enrolled. This compelled the superintendents to keep up their attendance or face a deficiency. Every child represented so much money for the maintenance of the school, and in many cases little regard was had for the welfare of the child. Many superintendents sent out agents into the different Indian reservations to canvass for pupils for their school. The activities of these agents upon reservations were often very pernicious. Congress in the Indian appropriation act of this year provides that all moneys appropriated for school purposes among the Indians shall be expended without restriction as to a per capita expenditure for the annual support and education of pupils. This will make it possible for the superintendents of the nonreservation schools to devote all their energies to the education of their pupils. The support of each school will be in accordance with the efficiency and earnestness with which it does its work.

An event that will have important influence upon the work of the schools was the conference of superintendents held in Washington in December, 1909. In order that the field employees might have an opportunity not only to discuss questions with each other, but also to become acquainted with the office force, I called about 35 reserva-

conference. The conference was in session four days, and the report of its proceedings constitutes a contribution of great value to the general subject of Indian education, and more especially with regard to the problems of the nonreservation schools.

Progress is being made in the important work of more closely connecting the Indian schools with the public schools. The association of Indian children with white children in the public schools, wherever practicable, will be a definite means of promoting the assimilation of the Indians into American life. During the last year about 3,000 Indian pupils were enrolled in the public schools, a remarkable increase over previous years, most noted in California and Oklahoma. The office is willing to pay a per capita tuition equal to the amount apportioned by the State or county per pupil for all Indian pupils enrolled in the public schools whose parents are not taxpayers. Superintendents have readily seen the advantage to be gained by such an arrangement.

There has been a marked example of cooperation in school matters among the whites and Indians at Fort Lapwai, Idaho. An industrial high-school plant is maintained there by the State of Idaho and the Indian Office jointly. At the close of its first year there was an attendance of more than 225 pupils, of whom over one-half were Indians. This school has the cooperation and support of the best people in the community and the state school authorities. The State pays part of the expense and the Government bears the expense of the Indians, each race being afforded equal opportunities as to instruction. It is found that the association of the two races in the same schools is overcoming, in a great degree, the local prejudice of the whites against the Indian.

As the districts in which Indian reservations are situated become more thickly settled the distribution of public schools is going to be much more extensive, and the opportunities for the Indians to attend public schools will be greatly increased. This will make necessary various readjustments in the Indian school policy.

We have begun to prepare for these readjustments. During the last year we adopted the state or local courses of study for the Indian schools. In the manual for Indian schools recently issued the reasons for this action are given as follows:

> In order to give definiteness and true direction to the policy of Indian education it seems highly desirable as a rule to make the course of study for each Indian school conform to the course of study adopted by the State or county in which it is situated. This will not only make it possible to increase the general efficiency of Indian schools, but it will show the Indian children that their schools are in all essential points the same as those for white children. They are already comparing their schools with those maintained by the States and it ought not to be true in any community that they suffer by this comparison.

This plan of making the courses of study in Indian schools conform to those in the States in which the schools are located will place the teachers in the Indian schools in closer touch with the teachers of the larger system of schools for white children, and will provide opportunities for the former to receive inspiration and help from the teachers of non-Indian schools. It will make the two school systems so nearly alike that Indian pupils may be easily transferred to white schools as has already been done in a large number of instances; it will also put the various Indian schools, particularly the day schools, in condition for future absorption into the state school systems, because of following the same course of study and to a considerable extent the same series of text-books.

We are planning to do more in the way of following up pupils after they leave the schools, in order that they may be helped and safe-guarded during the critical years in which they start to make their own way in the world. The transition to the reservation is many times rather violent for the pupil who has been carefully sheltered in the nonreservation boarding school from the temptations of the world. Sympathetic guidance for the boys and girls at this critical time is greatly needed. Mention has already been made in this report of the way in which the cooperation of some of the railroads with the employment bureau may help in this work. I am trying, however, to work out a plan whereby the responsibility of following up the students when they leave school will rest with the superintendents of the schools. The essential features of the plan are that the pupil, when he leaves the reservation, shall carry a letter from the superintendent to the superintendent of the nonreservation school, acquainting the latter with the essential facts in the life of the pupil, and indicating the conditions on the reservation to which he will return. The nonreservation superintendent will then have some guidance in providing for that pupil the kind of training that will best fit him for the conditions prevailing at home. When a pupil leaves school he will carry a letter to the superintendent of the reservation to which he returns, with directions that it be presented immediately upon his arrival. This will give the home superintendent a splendid opportunity to gather from the pupil an idea of his plans and prospects and to give the pupil wholesome advice. It will open the way for the superintendent to keep a fatherly eye on the boy until he gets well on his feet.

With a view to improving the instruction along industrial lines the chief supervisor of schools has prepared a series of bulletins for the teachers of the service, which will be issued during the coming year. They are as follows: (1) Farm and home mechanics; some things that every boy should know how to do, and hence should learn to do in school; (2) some things that girls ought to know how to do, and hence should learn how to do when in school; (3) outline lessons in housekeeping, including cooking, laundering, dairying, and nurs-

ing; (4) synopsis of the course in sewing; (5) social plays, games, marches, old-folk dances, and rhythmic movements for use in Indian schools.

These bulletins will be distributed only to teachers in the Indian schools. As it is thought that there may be a public demand for them, arrangements have been made for their sale by the superintendent of documents.

The reorganization of the tribal schools among the Five Civilized Tribes is now well under way. For many years there have been in existence about 36 tribal boarding academies among these Indians, originally established and conducted by the tribal authorities and maintained from the tribal funds. Pursuant to the act of April 26, 1906 (34 Stat., 137–140), these academies were taken charge of by the department and have been operated under contracts made with the superintendents of the respective institutions. Contracts were made also with various private and denominational schools, and public day schools were conducted under a dual system of control by which the department paid the salaries of the teacher for a part of the school year, the state or district authorities maintaining the school for the balance of the year. This system of conducting the various schools among the Five Civilized Tribes has proved unsatisfactory. During the early part of the year 1910 the department and the Indian Office determined to discontinue the old system, and in the future these schools will be operated directly under the supervision of the Indian Office and in substantially the same manner as all other Indian schools in the service. The tribal schools have in the past contributed materially to the advancement of the Five Civilized Tribes and will remain the chief reliance of those Indians, now numbering 36,000, whose lands are still restricted and who are not citizens of the State, with the privilege of attending the state schools.

The nomadic habits of the Navajo Indians make educational facilities for these people at the present time largely a question of boarding schools. Superintendents of the various Navajo reservations, without exception, report very few available day school sites. This arises from the fact that the principal industry among the Navajos is sheep raising. The range of the desert is such that in order to gain subsistence for their sheep a large grazing territory must be covered during the course of the year. Until such time as water can be developed for irrigation and families located in communities the matter of day schools in this part of the country is considered by Navajo superintendents as impracticable. This makes the educational question among the Navajos depend largely upon irrigation.

In order to furnish educational facilities for a number of Navajo children in any school it will probably be necessary to build a few more boarding-school plants, with a capacity of from 150 to 200 pupils. A careful study of this situation is now being made.

During the past year nonreservation schools at Fort Shaw, Mont., Chamberlain, S. Dak., Fort Lewis, Colo., and Morris, Minn., were discontinued. One new boarding-school plant at Chin Lee, N. Mex., was completed. Three day schools were discontinued during the year and 28 new day schools opened, giving a total increase of 25 day schools during the past year.

Some of the more important changes during the year were as follows:

The Rincon day school in California was discontinued, and the Indian children who formerly attended the school were placed in the public schools in that community.

A superintendency was established last year at Upperlake, Cal. It will include Ukiah, Potter Valley, and the Indians in and about these points.

A superintendency has been established at Roseburg, Oreg., to afford better protection to a large number of Indians not under the jurisdiction of the various superintendents in Oregon.

The location of the agency headquarters for the Coeur d'Alene Reservation in Idaho will be moved from Tekoa, Wash., to the reservation proper. A new site has been reserved for agency purposes on the reservation and arrangements have been made to transfer the headquarters as soon as new buildings can be constructed.

The San Xavier Mission day school was transferred to the Government during the year. The buildings were leased by the Government and the employees—three teachers and one housekeeper—listed on the civil service roll March 1, 1910.

The department changed the name of the Puyallup School to Cushman School at the request of the Tacoma Commercial Club and Senator Jones, of Washington, in honor of the late Francis W. Cushman, former Representative from Washington.

The Salt River Reservation has been separated from Pima Agency and placed under the jurisdiction of the Camp McDowell superintendent. The property and employees of the Salt River and Lehi day schools have been transferred to Camp McDowell. One large new day-school plant is contemplated at Salt River to accommodate the Camp McDowell Indians who took allotments at Salt River. The Red Moon boarding school at Hammon, Okla., has been discontinued and a day school established in its stead. It is purposed to transport pupils to and from the school daily if it is found that this is necessary and practicable.

Authority has been obtained to lease with the option of purchasing at $10,000, at any time within the next five years, 62 acres of land and

landed improvements known as the Berger property, at San Xavier, Ariz. This will supply quarters for the agency employees with facilities for instructing the agency boys in farming, care of stock, etc.

The Arapaho Boarding School was sold during the year, in accordance with the act of May 29, 1908 (34 Stat., 444), and the amendment thereto of January 31, 1910, which provided for the sale of the school and the land, comprising about one section, in which the school buildings are situated. This sale has been made for the sum of $73,800, of which $25,000 has been paid in cash. Two schools have hitherto been conducted for the Cheyenne and Arapaho Indians near Darlington, Okla.; the Arapaho Boarding School, originally established in 1872, which has just been sold, and the Cheyenne Boarding School, established in 1880. The latter is a small plant quite insufficient to accommodate all the pupils formerly provided for at both places. The proceeds of the sale of the Arapaho school, however, are to be used for the enlargement and improvement of the Cheyenne Consolidated School. The work of building up a complete plant sufficient to provide for all the Indian children who look to this institution for their education has been commenced and will be pushed to completion as fast as funds for the purpose become available.

CONSTRUCTION.

This section has prepared the plans and supervised the construction of a great variety of buildings during the year. Particular attention has been given to the problem of introducing a uniform type of building for the service, which will, at the same time, be easily adapted to meet the varying needs of different localities. The prevailing type of building in the future will be a substantial one-story structure with good light and ventilation, characterized by an absence of plumbing in the basement, and with toilets and baths installed in a conveniently located annex.

A special feature of the work of this section has been the preparation for the service of a series of plans, specifications, and forms of contract suitable for the use of Indians who wish to erect simple dwellings, barns, etc. These plans will be a great help to the superintendents on many reservations who are striving to teach the Indians to use their surplus funds for the erection of buildings and the making of similar permanent improvements upon their property. A good variety of plans is presented, and they are sufficiently elementary for the Indians to obtain an instructive lesson in all the business connected with building operations.

PURCHASE SECTION.

Before the preparation of the usual proposals for supplies, contractors and other persons interested in bidding on Indian supplies were invited to submit suggestions for an improvement of the methods

of purchasing and of making specifications. Where practicable and for the best interests of the service their suggestions for changes in specifications were adopted, in order that the terms used might more closely conform to trade terms, and that the requirements of the service might be made more clear to bidders.

A change in date for the annual estimate from January 1 to November 1, which was made last year, has been a decided improvement. Preparations for the annual estimate and the contract lettings are now made sufficiently early in the year to allow the manufacture of articles and the delivery of supplies before the opening of the schools in the fall.

There has been considerable complaint from some dealers that the proposals for furnishing goods and supplies by the requirement of delivery in New York, Chicago, St. Louis, Omaha, or San Francisco precluded them from successful competition with other bidders. To remedy any seeming discrimination the proposals were changed so as to permit bidders to designate in their bid delivery at any other point than those named by them, the Government reserving the right to call for the delivery of such quantities at any of the points named by the bidder in case more than one point was specified in the bid. This change has in no way worked to the detriment of the Government, and seems to be satisfactory to the dealers.

SUPPLIES.

An important change in the method of buying coal was instituted during the year. Formerly bids for furnishing coal omitted all special conditions as to heat units, ash, etc., but this year the specifications required bidders to state clearly the commercial names of the coal offered, the location of the mine or mines, and to guarantee the per cent of "ash" and "dry coal" and "British thermal units" as received. As a result of this change only 43 bids were received this year, as against 154 bids received the year before, and a number of the 43 bids received failed to comply with the terms of the specifications, necessitating their rejection. Wherever it was found impracticable to make awards by reason of the failure of the dealers to submit bids or comply with the terms of the specifications, fuel will be furnished under local contracts according to the old method.

Although the practical value of this new system has been thoroughly demonstrated in other branches of the Government and in large corporations and municipalities, its introduction into the Indian Service is experimental. The theory is correct, and if properly employed can be made to work in the service. While the first cost per ton may exceed that under the old system, yet its absolute fairness to the seller and the buyer, in securing the best results from a given expenditure of money, makes it worthy of careful trial. To do

this it will be necessary to determine what fuels are best adapted to the plant equipment of each school, and also to educate the coal dealers themselves as to the quality of the coal which they have to offer.

The technologic branch of the United States Geological Survey has had large experience in the testing of coal for its heat values, and has extended hearty cooperation to the Indian Office in the preliminary changes incident to the new system. The Bureau of Mines, which has taken over the work of the technologic branch, will make all necessary analyses and tests required for thoroughly determining the practicability of the plan.

IRRIGATION.

There are millions of acres of irrigable lands in Indian reservations. Thus far, about 160,000 acres have been irrigated; of this number 118,640 acres have been irrigated by Indians and 42,080 by white lessees and purchasers.

The act of June 25, 1910, has bearings of great consequence upon the irrigation of Indian lands. This act safeguards the water interests of Indians on unallotted lands that are opened before an irrigation project can be constructed, and it also makes reservoir and water-power sites on lands already allotted fully available for irrigation purposes.

The act provides that if any irrigation project prior to the opening of any Indian reservation containing power for reservoir sites, be authorized, the Secretary of the Interior may, in his discretion, reserve such sites pending further legislation by Congress for their disposition. The act also provides for the cancellation of Indian allotments valuable for reservoir or water-power sites, the Indian allottee, of course, being protected by the requirement that he shall receive a proper payment for his improvements and lieu allotment of land of equal value within the irrigated area created by the reservoir.

The total appropriations for irrigation purposes for the past year amounted to $875,730, of which $325,000 was by act of March 3, 1909, made immediately available.

Work on the various reservations has been carried on as fast as funds available and the legal difficulties would permit, as is shown in the following summary of the work:

ARIZONA.

Gila River Reservation.—The hydro-electric pumping stations are in the course of construction. The initial plant is now in successful operation and giving most satisfactory results. Other stations will be completed in the near future. This work is being constructed by

the Reclamation Service. The cost of this project was $123,075.71 for the year.

Navajo Reservation.—At Wheatfields Superintendent of Irrigation Robinson completed work on a small storage reservoir. The sum of $534 was expended on this project during the year.

At Tuba the sum of $6,969.35 was expended in the construction of a loose rock diversion dam, a concrete head gate, and about 1,800 feet of new canal. The new work diverts water to the agency farm and to the lands farmed by the Navajos, who have placed 150 acres under cultivation since construction started.

Four 12-inch wells have been driven to bed rock at Leupp for the benefit of the school and for determining the feasibility of obtaining water for irrigation. The total cost was $3,904.66.

CALIFORNIA (MISSION INDIANS).

During the year work was prosecuted at Campo, Pechanga, Morongo, San Manuel, Soboba, and Cabazon reservations; also in sec. 30, T. 5 S., R. 7 E., San Bernardino meridian, the total expenditure being $25,547.99, of which amount the sum of $6,421.21 was paid for Indian labor.

COLORADO.

Southern Ute (*allotted*).—Surveys have been made for continuing construction work, and some little construction has been done during the year. Expenditures for the surveys and construction amount to $1,780.95.

IDAHO.

Fort Hall project.—A total of $197,583.88 was expended on the construction of the various features of this project, which are as follows: Extension and enlargement of the upper canal, laterals and minor concrete structures, reinforced concrete siphon, concrete head gates, and the Blackfoot dam. The amount paid for Indian labor during the year was $9,316.08.

MONTANA.

Crow Reservation.—The sum of $51,638.85 was expended on this project during the year, $15,745.11 of which was paid for maintenance. The amount paid for Indian labor and teams was $27,480.13. The chief new work performed was the extension of the agency canal and the construction of laterals under the Two Leggins and Big Horn canals. The irrigable land now under the various canals is estimated at 69,340 acres, of which 27,417 acres are irrigated. A large percentage of the land irrigated is for the purpose of native hay only.

Fort Belknap Reservation.—The work on this reservation during the year was the enlargement, extension, improvements and maintenance of the Milk River Canal System. The total cost for the year was $25,432.65, of which Indians received for labor and teams $17,323.22. The number of acres irrigated on the project is estimated at 16,000.

Tongue River project.—The work on this project was concentrated on the completion of the first 7 miles of the main canal, the lateral system, and structures under it. The amount expended during the year was $30,217.23, of which $8,011.72 was paid for Indian labor and teams. The cost of this project has been high owing to its isolated location and character of labor, unfavorable topographic conditions, and the fact that the canal and all structures are constructed with a capacity sufficient to irrigate the entire contemplated project. The number of irrigable acres under the canal is 896. Thirty-nine Cheyenne Indians have been given 20-acre tentative allotments. This is the first experience of Cheyennes in farming, and they have done remarkably well, raising corn, potatoes, beets, cabbage, squash, and turnips. The project can ultimately irrigate 6,000 acres of land.

Blackfeet project.—This project is being constructed by the Reclamation Service. Expenditures for the fiscal year 1910 amount to $123,212.02.

Flathead project.—On this project $174,318.53 was expended by the Reclamation Service during the year.

Fort Peck.—This project is also being constructed by the Reclamation Service. The expenditures for the year were $36,235.25.

NEVADA.

Walker River project.—During the year the work consisted mainly in the extension of the main canal No. 2, and the construction of the requisite lateral system. This system as constructed will irrigate an area of 4,199 acres. The cost of the work during the year was $15,663.27, of which sum the Indians received $8,918.34.

Fort McDermitt Reservation.—Some minor work was performed at this point in the enlargement and the extension of two canals constructed some years ago. The total cost for the year was $1,218.95, which was chiefly paid to the Indians.

NEW MEXICO.

Jicarilla and Apache reservations.—Surveys were made and plans prepared for the construction of ditches and a siphon line. Six hundred and ninety-two dollars and twenty cents was expended on the surveys and some little construction.

Navajo Reservation.—A small project at a point known as Seven Lakes was practically completed at a cost of $312.36.

San Juan project.—On the construction of the Hogback Canal $20,124.10 was expended, which, when completed, will irrigate approximately 3,900 acres.

Zuni Reservation.—During the year the sum of $45,994.51 was expended for maintenance, construction, and repairs to the damaged dam, of which $17,999.22 was paid for Indian labor and teams.

UTAH.

Uintah project.—The cost of the Uintah project for the year was $143,991.86, out of which $16,349.57 was paid for Indian labor and teams. It is estimated that 86,000 acres can be irrigated by the project as constructed. Approximately 11,000 acres of the Indian lands are now being irrigated.

WASHINGTON.

Yakima Reservation (irrigation).—The sum of $22,853.13 is the aggregate of the distributed costs on this reservation for the year, of which $6,691.71 was paid to the Indians for labor and teams. The total area of irrigated lands is 37,483 acres.

Yakima Reservation (drainage).—Several thousands of acres of land are being ruined by the rise of the water plane, due to the irrigation of the lands above, and a drainage project is being inaugurated for the protection of this land. During the year $1,425.87 was expended on surveys for the various drains.

WYOMING.

Wind River Reservation.—The chief work on this reservation has been the enlargement and extension of the old canal, and the construction of 75 concrete and timber structures at a total cost of $82,520.76, of which the Indians were paid $35,401.33 for labor and teams. It is estimated that 48,699 acres are irrigated by this system.

MISCELLANEOUS.

During the past year investigations and reports were made on the following projects: Sherman Institute, Capitan Grande, Mesa Grande, San Pasqual Valley, Pala, La Jolla, Campo, and Morongo reservations, in California; Gila Bend, Colorado River, and Navajo reservations, in Arizona; Zuni and San Juan, in New Mexico; Southern Ute, in Colorado; Pine Ridge, S. Dak.; and Pyramid Lake, Walker River, and Moapa, in Nevada.

FORESTRY.

The timber holdings of the Indians are of great value, having been estimated at thirty-six and one-half billion feet (board measure), with a value of $73,000,000. Approximately five and one-half

billion feet of the timber, valued at $12,000,000, are on allotted lands, and thirty-one billion feet, valued at $61,000,000, on unallotted lands. The service means to protect and develop these holdings by modern methods and in line with the best thought and experience in forestry, and at the same time so to instruct the Indians in the practical use of their timbered lands that they may receive from them the greatest benefit possible. Under the plan of organization, a forestry section has been established in the Indian Office for the purpose of segregating all timber matters in one unit.

The plan of field organization includes a forester having a practical and technical knowledge of the subject, responsible to the Commissioner of Indian Affairs for all timber matters, and a sufficient force of trained and experienced assistants to insure a management of the forests which shall be sound in theory and economically profitable.

At the present time the timber on all reservations is under the jurisdiction of the superintendents, who manage the forest on their respective reservations with the advice of special forestry experts.

A plan has been instituted for determining the amount of timber on each reservation. Statistics are being gathered not only relative to the amount and value of the timber, but studies are being made of the nature of the timber and the conditions prevailing on the several reservations, with a view to furnishing reports which will form a basis for the intelligent control and development of each forest.

Much attention is being given to planning adequate protection for this wealth of timber. Patrol districts have been arranged for forest guards, and during the dry period of the past year 109 forest guards were employed on 42 reservations in 15 different States. Telephone lines have been constructed on a number of reservations with convenient stations within the several patrol districts, so that the superintendent can receive prompt notification of fires. The total amount expended in the erection of telephone lines, cabins, and corrals is approximately $40,000. A system of fire reports has been instituted, by which the superintendent may advise the office immediately of the estimated amount of damage of every fire and the cost of extinguishing it. Indians are employed as forest guards wherever such employment is practicable, and the regular Indian police force is utilized for forest protection.

The forestry work of the office will be materially helped by the legislation of the past year. The act of June 25, 1910 (36 Stat., 855), so amended the penal laws of the United States that it became a serious offense to unlawfully cut or wantonly injure timber on Indian reservations, as well as to set a fire on Indian reservation forests without exercising due care to extinguish the same. This act also authorizes the Secretary of the Interior under such regulations

as he may prescribe to sell the mature living timber, as well as dead and down timber, on the unallotted lands of any Indian reservation, except those within the States of Minnesota and Wisconsin, and upon allotments of Indians held under trust or other patents containing restrictions upon alienation. This general provision, however, will not supersede antecedent special acts in conflict therewith. Heretofore the office has had general authority to sell for the Indians dead and down timber only, except where timber was cut from Indian allotments for the purpose of clearing the land for agricultural use.

Under the new law the forest work on Indian reservations can ultimately be made self-supporting and ample funds obtained to develop the forests to their greatest productivity.

The principal logging operations upon Indian reservations during the past year were as follows:

Bad River Reservation.—Ten new contracts were entered into with the J. S. Stearns Lumber Company, authorized contractors, by allottees of this reservation; 62,407,735 feet of timber were cut from allotted lands, and 23,520,735 feet from unallotted lands, a total of 85,928,470 feet, valued at $607,066.52.

Lac Courte Oreille Reservation.—Thirty-two contracts were approved with Signor, Crisler & Co., the authorized contractors, by allottees of this reservation; 7,331,875 feet of timber were cut during the year, valued at $22,484.57. The following is a statement of the funds derived from the sale of timber, on June 30, 1910:

Balance due from contractor, 1909	$3,163.20
Accrued from sale of timber, 1910	22,484.57
Total	25,647.77
Deposited in bank to credit of individual Indians	20,974.73
Balance due from contractor, June 30, 1910	4,733.04

Fond du Lac Reservation.—Martin Brothers, the official contractors on the Fond du Lac Reservation, with the approval of the Secretary of the Interior, transferred their contracts to William O'Brien. One hundred and eighty-four contracts were made with the Indians of this reservation during the year. There were 9,063,640 feet of timber cut and removed, valued at $92,649.85.

Leech Lake Reservation.—One new contract for sale of timber was made during the year, 21 contracts were completed. Collections were made during the year for 5 timber trespasses. There is now pending a settlement with the Minneapolis, St. Paul and Sault Ste. Marie Railroad Company for timber cut on their right-of-way through 17 Indian allotments.

There were 2,298,460 feet of timber, 121 cords of mixed wood, 152 cords of Jack pine, 1,277 cedar poles cut during the year. The sum of $12,203.74 was collected and deposited to the credit of the individual Indians. The total amount of proceeds from sale of timber on

deposit to the credit of individual Indians on June 30, 1910, was $82,124.20.

Ceded Chippewa Indian lands.—During the year there were cut from the ceded Chippewa lands in Minnesota 87,522,240 feet of timber, 321¾ cords of wood, and 1,561 posts and poles from which the sum of $524,414 was received. The total amount of timber cut from these lands to July 1, 1910, was 822,722,613 feet, 446¾ cords of wood, and 1,561 posts and poles valued at $5,312,334.65. The total expense of operation to July 1, 1910, including salaries paid, was $224,915.56, leaving a profit of $5,087,419.69.

Menominee.—During the period November 1, 1909, to June 30, 1910, 17,786,308 feet of lumber, 621,050 lath, and 442,250 shingles were sawed at the mill on this reservation. There were shipped and used in construction work 12,068,512 feet of lumber, 1,580,900 lath, and 1,798,850 shingles, and at the close of the fiscal year there were on hand 22,178,966 feet of lumber, 795,150 lath, and 574,750 shingles. From the sale of lumber, lath, shingles, and wood $144,-345.16 was realized, and $6,782.70 from the sale of logs.

The cost of the operations from November 1, 1909, to the close of the fiscal year was $286,004.90; of this amount $44,569.88 was earned by Indians.

POPULATION.

The Government no longer looks upon its duty to the Indians as merely involving an honest accounting for its trusteeship of Indian lands and funds. It considers the trusteeship of this property as the means of bringing the Indian to a position of self-reliance and independence where he may be able to accept the opportunities and responsibilities of American citizenship.

In all questions relating to the management of Indian properties the problem of the Indian Office under the direction of the Department is to find that method or combination of methods which is not only transparently just and honorable, but which is at the same time educative and capable of inspiring the Indian to greater personal effort. Important progress is being made in this direction. A case in point is the commutation of annuities. The perpetual annuities provided for in the treaties of various groups of Indians have been a great bar to the Indians' progress. These annuities have tended to keep the Indian in a condition of dependence, as they assured him of an income without labor or effort.

During the past year Congress by the act of April 4, 1910 (36 Stat., 269), commuted the annuities of the Sac and Fox Indians of Oklahoma and Iowa, and the Pottawatomies of Kansas and Wisconsin. An appropriation of $200,758 was made for this purpose, and provision was made authorizing the Secretary of the Interior to withdraw this

money from the Treasury for payment to the Indians or to be expended for their benefit in such manner as he may deem proper. Agreements had previously been made with these Indians by special agents of the office, under authority of the act of Congress approved April 30, 1908. There are now five tribes receiving cash annuities under treaty stipulations, for which no principal fund has ever been appropriated and deposited in the Treasury. The amounts to be appropriated by Congress to provide for the commutation of the perpetual annuities of these tribes are as follows: Oneidas, Wisconsin, $20,000; Pawnees, Oklahoma, $600,000; Choctaws, $192,000; Senecas of New York, $120,000; Six Nations of New York, New York branch, $70,000. Agreements for the commutation of these annuities have already been made with the Oneidas and Pawnees.

An attempt was made during the past year to make a payment to the Seneca Indians of New York, in accordance with a provision in the Indian appropriation act approved March 3, 1909 (35 Stat., 785), in which the Secretary of the Treasury was directed to place upon the books of the Treasury to the credit of the Seneca Indians of New York the sum of $118,050, to bear interest at the rate of 5 per cent. This amount represents the value of certain stocks held in trust for the Indians and taken by the United States and canceled under authority of the act of June 27, 1846 (9 Stat., 35). Instructions were issued for the preparation of a roll for the payment, but owing to a protest by a faction of the tribe work on the roll was suspended. Further action in the distribution of the fund will not be taken by the office until it can definitely ascertain the views of the Indians on the subject. The matter is now in the hands of a departmental inspector for adjustment.

LAND.

The essential feature of the Government's great educational program for the Indians is the abolition of the old tribal relations and the treatment of every Indian as an individual. The basis of this individualization is the breaking up of tribal lands into allotments to the individuals of the tribe. This step is fundamental to the present Indian policy of the Government. Until their lands are allotted, the Government is merely marking time in dealing with any group of Indians.

An improvement of great importance has been made during the past year in the allotment work. I refer to the appointment of a supervisor of allotting agents. The most important feature of his work will be the introduction of a uniform system of allotment work on all reservations, subject only to such modifications as may be caused by local conditions. He will be of great help in solving special difficulties and complications that arise in the various districts.

This supervision of the work in the field will not only make for greater administrative efficiency, but the improvements introduced will also reduce the cost of the work.

The status of the work in field may be briefly summed up as follows:

Moqui, Ariz.—The act of March 1, 1907 (34 Stat., 1021), provides for allotment in such areas as the Secretary of the Interior might determine. On February 26, 1909, the department authorized allotments of 40 acres of agricultural and 320 acres of grazing land to each Indian on this reservation. Special Allotting Agent Matthew M. Murphy has, thus far, made tentative allotments to 2,630 Indians, covering 893,957 acres, at a cost of $29,072.01, the approximate cost per allotment being $11.05. It is estimated that there are 1,600 Indians yet to be allotted.

Navajo extension, Arizona and New Mexico.—Special Allotting Agent Joseph G. Kent has been engaged during the past year in making allotments within that part of the extension to the Navajo Reservation created by executive orders of November 9, 1907, and January 28, 1908, lying within New Mexico. Mr. Kent practically completed the allotment work within that part of the extension in New Mexico in May, 1910, and as soon as the allotments made by him to these Indians are approved, the surplus unallotted lands will be restored to the public domain as required by the act of May 29, 1908 (35 Stat., 457). Allotments within that part of the extension in Arizona have not been completed owing to the fact that all of the lands lying therein have not been surveyed by the General Land Office. It is expected that this work and the allotment work will be completed during the present fiscal year.

Round Valley, Cal.—During the past year Special Allotting Agent Horace J. Johnson completed the work of allotting the lands reserved for tribal purposes for the Round Valley Indians, under the provisions of the act of October 1, 1890 (26 Stat., 658). Allotments of approximately 50 acres each were made to 614 Indians, covering in the aggregate some 36,692.23 acres.

White Earth, Minn.—On December 20, 1909, a supplemental schedule of original allotments to 214 Indians on this reservation were approved by the department, and on the same date a schedule of 271 additional allotments were approved. The original allotments comprise 21,301.82 acres, and the additional allotments cover 16,812.84 acres. The original allotments were made under the act of January 14, 1889 (25 Stat., 642); the additional allotments being made under the provisions of the act of April 28, 1904 (33 Stat., 539). It is believed that the allotment work on this reservation will be completed during the present fiscal year, and when finished there will be but

little, if any, surplus land within the reservation other than that claimed by the State as swamp land.

Blackfeet, Mont.—The act of March 1, 1907 (34 Stat., 1035), authorizes allotments of 40 acres of irrigable land and 280 acres of grazing land, or, at the option of the allottee, 320 acres of grazing land to each Indian. Special Allotting Agent Charles E. Roblin has been at work on this reservation during the past year and has completed allotments covering 505,539.16 acres to approximately 1,300 Indians. Owing to the latitude of this reservation, it is impossible to do any field work during the winter months. To hasten the completion of the allotment work, Mr. Thralls W. Wheat, formerly surveyor under Special Allotting Agent Roblin, was appointed a special allotting agent to assist in the prosecution of the work during the summer season when field work is possible. It is believed that the work connected with allotments to these Indians will be completed before winter.

Fort Peck, Mont.—On September 26, 1909, Special Allotting Agent Fred C. Campbell took up the allotment work to Indians on the Fort Peck Reservation under the provisions of the act of May 30, 1908 (35 Stat., 558). This act authorizes allotments of 320 acres of grazing land, and in addition thereto, not to exceed 40 acres of irrigable land and not less than 2½ nor more than 20 acres of timber land to each Indian; provision being made also for the disposal of the surplus lands after allotments have been completed. Up to July 1, 1910, Mr. Campbell had made allotments to approximately 1,000 Indians. As there are in the neighborhood of 2,000 Indians on this reservation entitled to allotments, it is not believed that the allotment work will be completed prior to the closing of the summer season of 1911.

Carson Sink, Nev.—During the past year allotments of 10 acres of irrigable land were approved to some 322 Indians within the Truckee-Carson irrigation project in Nevada. There remain about 1,500 acres under this project within the seven and one-quarter sections reserved for allotment purposes which it is expected will be allotted to the remaining Indians of the Paiute tribe during the present fiscal year.

Jicarilla, N. Mex.—The allotments made to the Indians on this reservation under the provisions of the act of March 1, 1907 (34 Stat., 1413), were approved by the department on August 28, 1909, the allotments being to some 797 Indians, covering an area of 354,294 acres.

Fort Berthold, N. Dak.—Former Special Allotting Agent John P. Young, who was engaged in making allotments to Indians on this reservation under the provisions of the act of March 1, 1907 (34 Stat., 1042), was relieved from duty on November 1, 1909, and the surveyor, Mr. Theodore N. Engdahl, was directed to revise and

check the schedule of allotments made by the former alloting agent. Prior to the time of being relieved from duty allotments were made to some 296 Indians, covering an area of 20,240 acres. There remain about 60 Indians entitled to allotments under the act of March 1, 1907, who have not as yet had lands assigned to them. The act of June 1, 1910 (36 Stat., 455) authorizes an additional allotment of 160 acres of agricultural or 320 acres of grazing land to each Indian on the Fort Berthold Reservation; the act provides also for the disposal of the surplus lands within that part of the reservation lying north and east of the Missouri River. It is the intention of the office to have the superintendent of the Fort Berthold Indian school, under authority found in section 9 of the act of June 25, 1910 (36 Stat., 858), to complete the allotment work on this reservation under the act of June 1, 1910.

Standing Rock, N. Dak.—Former Special Allotting Agent Carl Gunderson, now supervisor of allotting agents, during the early fall of the past year completed the allotment work on this reservation to all unallotted Indians then living. The act of May 29, 1908 (35 Stat., 444, 451), authorizes allotments to children born to members of any of the tribes on the various reservations into which the former Great Sioux Reservation was divided by the act of March 2, 1889 (25 Stat., 888), so long as the tribes living thereon remain possessed of any unallotted tribal lands. It is the intention of the office to have the superintendent, under the authority of section 9 of the act of June 25, 1910 (36 Stat., 858), make allotments from the surplus unallotted lands of the reservation to children born to members of the Standing Rock tribe. There is no authority for the disposal of the surplus lands within this reservation as diminished by the act of May 29, 1908 (35 Stat., 460), the lands within that part of the reservation covered by the act last mentioned having been opened to homestead settlement.

Cheyenne River, S. Dak.—It is expected that Special Allotting Agent John D. Deets, who has been engaged in making allotments to Indians on the Cheyenne River Reservation during the past few years, will have completed this work by August 1, 1910, or shortly thereafter. There is no authority for the disposal of the surplus lands within the diminished reservation. (See remarks under Standing Rock Reservation.)

Pine Ridge, S. Dak.—Under the provisions of the acts of March 2, 1889 (25 Stat., 888), and March 1, 1907 (34 Stat., 1048), allotments to 3,569 Indians on the Pine Ridge Reservation have been approved previously. During the past fiscal year Special Allotting Agent Charles H. Bates has completed allotments in the field to 891 Indians in addition to those heretofore approved. As there are in the neighborhood of 6,000 Indians on this reservation entitled to

allotments, it will take at least two years, if not longer, to complete the work. The act of May 27, 1910 (36 Stat., 440), authorizes the completion of the allotments and disposal of the surplus unallotted lands within that part of this reservation lying in Bennett County, S. Dak. In a recent report the special agent advised the office that the allotment work within Bennett County will be completed by October 1, but owing to the number of Indians allotted and those yet desiring to take allotments within this county, it is not believed that there will be any great quantity of desirable land left for homestead settlement. There is no authority, other than that found in the act of May 27, 1910, supra, for the disposal of the surplus lands within this reservation.

Rosebud, S. Dak.—It is estimated that the allotment work within this reservation will be completed by November 1, 1910, there remaining approximately 350 Indians yet to be allotted. This reservation has been diminished previously by various acts of Congress, and the act of May 30, 1910 (36 Stat., 448), authorizes the disposal of a part of this reservation lying within Mellette and Washabaugh counties. As the surplus lands, after allotments have been completed, must be classified and appraised, it is not believed that any steps looking to the disposal of the surplus lands can be taken prior to the calendar year 1911.

Colville, Wash.—The act of March 22, 1906 (34 Stat., 80), authorized allotments of 80 acres each to the Indians on this reservation. Section 39 of the act of June 25, 1910 (36 Stat., 863), amends the act of March 22, 1906, supra, so as to authorize allotments to these Indians under the general allotment laws as amended by section 17 of the act of June 25, 1910. This will enable the office to give these Indians allotments of 40 acres of irrigable land, or 80 acres of nonirrigable agricultural land, or 160 acres of nonirrigable grazing land, in the option of the allottee. As the allotment work has just begun, and as there are approximately 2,000 Indians to be allotted, it is believed it will take at least two years to complete the allotment work there.

Quiniault, Wash.—The allotment work on this reservation has been very difficult owing to the heavy growth of timber and underbrush. It has practically been completed, however, during the past year by Special Allotting Agent Finch R. Archer, a recent report from this officer indicating that the field work was completed, and the only work yet to be done was the proper scheduling of the allotments for submission to the office. There is no authority under existing law for the disposal of the surplus lands within this reservation.

Yakima, Wash.—The act of December 21, 1904 (33 Stat., 595), authorized allotments to the Indians then living on this reservation and the disposal of the surplus unallotted lands. Allotments under

this act have been completed previously, and during the past year a commission has been engaged in the classification and appraisement of the surplus lands. The act of May 6, 1910 (36 Stat., 348), authorizes allotments to children on this reservation born since the previous allotment work was completed. Special Allotting Agent Matthew F. Nourse began work on this reservation under the act last mentioned on June 23, 1910, and it is estimated that there are about 400 Indians entitled to allotments. It is not believed that this work can be completed in time to enable the necessary steps to be taken to dispose of the surplus lands prior to the next calendar year. A recent report from the chairman of the appraising commission indicates that practically all of the valuable land within the reservation will have been exhausted after the allotments have been completed.

Nonreservation.—Special Allotting Agents William Williams, George A. Keepers, William M. Peterson, and Ralph Aspaas have been engaged in making allotments to Indians on the public domain in Arizona and New Mexico, under the provisions of the fourth section of the general allotment act of February 8, 1887 (24 Stat., 388), as amended by the act of February 28, 1891 (26 Stat., 794). Mr. Aspaas has made tentative allotments to some 515 Indians of the Papago tribe in Pima and Penault counties, Ariz. Mr. Williams made tentative allotments of 15 acres each to 333 Indians under the jurisdiction of the Fort Mojave Indian School, Arizona. The allotments were made originally in this area, owing to the fact that there is a prospect of furnishing water to the Indians with which to irrigate their land. Mr. Keepers has made tentative allotments to 705 Indians on the public domain in Arizona, south of the Moqui Reservation. Former Special Allotting Agent William M. Peterson completed allotments to some 363 Indians in the vicinity of Houck, Ariz., south of the extension to the reservation, by executive orders of November 9, 1907, and January 28, 1908.

Nonreservation, Turtle Mountain.—During the past year allotments or homesteads to members of the Turtle Mountain band of Chippewa Indians on the public domain under the provisions of the act of April 21, 1904 (33 Stat., 189, 194), were approved to 1,177 members of this tribe, covering an area of 178,448.28 acres. These applications were filed with the local land offices at Minot, Great Falls, Glasgow, Williston, Rapid City, Bismarck, Miles City, Lewiston, and Devils Lake. Special Allotting Agent John F. Armstrong has been engaged, since the summer of 1909, in completing and perfecting applications by other members of this band for allotments on the public domain, principally in Valley County, Mont., under the jurisdiction of the local land office at Glasgow. It is estimated that there are about 1,200 other members of this band yet entitled to allotments or homesteads on the public domain.

LEASES OF TRIBAL LAND.

The rapid increase in the value of the grazing lands of the Indians on account of the reduction in area of the public domain by settlers has caused a remarkable increase in the rate paid for grazing privileges on many of the Indian reservations. On practically all of the reservations the rate paid for grazing privileges was increased anywhere from 25 to 100 per cent. The new method of letting grazing privileges on tribal lands described in detail in last year's report has worked splendidly. In another place in this report I refer to the marked success of the new method on the Crow Reservation.

Under the authority of the Department of the Interior permits have been granted to a number of persons to prospect for minerals on lands in Utah, on the San Juan Reserve set aside for the Kaibab and Piute Indians, with the understanding that if the prospectors find valuable minerals in paying quantities the lands, which are unsurveyed, should be restored to the public domain, and could then be entered under the United States mineral laws.

The work of locating mineral fields on the Shoshone Reservation has advanced rapidly. Several wells have been drilled which have struck oil in paying quantities, and new coal mines are being opened. Preparations are being made to build a pipe line to the oil field. This will cause drilling to be carried on much more extensively, and a larger income will be derived by the Indians than that received from grazing privileges.

LEASES OF ALLOTTED LANDS.

Since the last annual report 701 Indians have been permitted to lease their allotments without departmental supervision. These were Indians who had been found competent to transact their own business affairs. The amended regulations governing the leasing of allotted lands approved March 16, 1905, were further amended by the approval on September 16, 1909, February 24, 1910, of drafts of regulations applicable to the Umatilla Reservation, Oreg., and the Omaha and Winnebago reservations, Nebr. New regulations governing the leasing of Osage allotments in Oklahoma were approved February 7, 1910, and the former regulations revoked.

The act of June 25, 1910 (36 Stat., 855), broadens the power of the Secretary of the Interior with regard to leasing Indian lands for a period not to exceed five years. The approval of leases with his authority can be conferred upon the superintendent or even upon the Indian.

RAILROADS.

Railroad construction across Indian lands has continued especially active in the Northwest. All grants of rights of way to railroad companies across Indian lands, except in Oklahoma, are made under the

provisions of the act of March 2, 1899 (30 Stat., 325). The act of March 2, 1899, was further amended by section 15 of the act of June 25, 1910 (36 Stat., 855), by adding to section 1 a clause requiring each and every applicant for a right of way under the act to stipulate as a condition precedent to the grant that it will construct and permanently maintain suitable passenger and freight stations for the convenience of each and every town site established by the Government along the right of way.

The act of March 3, 1909 (35 Stat., 781), authorized the department to grant to railroad companies owning or operating lines in any Indian reservation, lands for reservoirs, material or ballast pits, or for the planting and growing of trees to protect the lines of railway. No grants have been made under the provisions of this law. Two applications are now pending before the office.

By the act of May 6, 1910 (36 Stat., 349), the provision of law last referred to was extended and made applicable to any lands which have been allotted in severalty to any individual Indian or which have not been conveyed to the allottee with full power of alienation.

RAILROADS IN OKLAHOMA.

All grants of rights of way and grounds for railway purposes involving Indian lands in Oklahoma are made in accordance with act of February 28, 1902 (32 Stat., 43). The maps submitted under this act are not subject to the approval of the Secretary of the Interior, but are filed in this office as a part of the permanent records of the Government.

RAILROADS OUTSIDE OF OKLAHOMA.

Following is a summary of railroad rights of way and station grounds granted, affecting Indian lands outside of Oklahoma, for the fiscal year ended June 30, 1910:

Arizona Eastern Railroad Company.—On April 7, 1910, the department approved five maps showing location of 75.81 miles right of way of the Arizona Eastern Railroad Company across the Navajo Indian Reservation. This was an amendment of a right of way along practically the same route which had previously been approved to the Arizona and Colorado Railroad Company, the former company having succeeded to the rights and interests of the latter. Damages for the right of way are in course of adjustment.

Chicago, Milwaukee and Puget Sound Railway.—A schedule showing $3,668.05 damages to tribal lands and $1,210.65 to allotted lands of the Quinaielt Reservation was approved on December 1, 1909, and payment of the amounts named was accepted. The rights of way had previously been granted on November 30, 1908, 4.155 miles, and on June 7, 1909, 9.433 miles.

Maps showing definite location of 172.77 miles of right of way across the Cheyenne River Reservation were approved on September 10, 1909. Right of way for 55.14 miles across the Standing Rock Reservation was granted on September 10, September 21, and October 5, 1909. A schedule of damages to tribal lands on the Cheyenne River Reservation, amounting to $13,540, was approved on December 22, 1909, the money collected, and placed to the credit of the Indians. Schedules showing damages of $3,189.29 to tribal lands and $6,794.10 to allotted lands on the Standing Rock Reservation were approved February 14, 1910, the money paid, and appropriately disbursed. Twelve Standing Rock allottees refused to assent to the damages as assessed by the superintendent in charge of the reservation, and three referees were appointed to make a reassessment, as provided in section 3 of the act of March 2, 1899.

Craig Mountain Lumber Company.—The schedule of damages for right of way across Nez Perce Indian lands was approved on July 9, 1909, and damages accepted for tribal lands, $82.80; allotted lands, $768.80; individual damages, $1,092.80. Under date of October 25, 1909, a map showing terminal grounds of 13.8 acres on the same reservation was approved.

Chicago and Northwestern Railway.—On March 25, 1910, maps showing definite location of 36.47 miles of right of way and 8.68 acres of station grounds on Rosebud Indian lands, in Tripp County, S. Dak., were approved. Damages to allotted Indian lands amounting to $18,501.50 were subsequently assessed and the schedule approved and money accepted on June 3, 1910. The amount was remitted to the superintendent to be distributed to the allottees.

Fernley and Lassen Railway.—A map of definite location of .848 mile across the allotment of Charles Ford, in the S. ½ of sec. 35, T. 30 N., R. 11 E., Mount Diablo meridian, California, was approved on May 20, 1910, and the superintendent of Carson Indian School has been instructed regarding the assessment of damages.

Great Northern Railway.—This company is doing extensive construction work. On September 10, 1909, and March 28, 1910, maps were approved showing location of 25.46 miles right of way across the Colville Reservation, 16.03 miles across allotments along the Okanogan and Columbia rivers, and 35.77 acres station grounds. A schedule of damages to the allotments along the Okanogan River, north of the reservation, aggregating $5,027.53, was approved on April 12, 1910, and the money forwarded to the superintendent to be paid to the allottees.

Under date of January 14, 1910, authority was granted for the company to survey and locate a line across the Fort Berthold Reservation. Maps showing the location of this line are pending before the office.

A map showing location of 4.20 miles of right of way across the northeast corner of the Fort Peck Reservation was approved on March 4, 1910. A schedule of tribal damages for this right of way, aggregating $458.19, was approved on May 21, 1910, and the money credited to the tribe.

Under date of May 9, 1910, a right of way of 42.21 miles across the Fort Peck Reservation, running northwest from Poplar, was granted. Damages are in course of adjustment.

Idaho and Washington Northern Railroad.—A right of way of 0.75 mile across the allotment of a Calispel Indian, along the Pend d'Oreille River, in Stevens County, Wash., was granted on April 4, 1910, and the superintendent of the Colville Agency was designated to assess the damages.

Inter California Railway.—Under date of February 10, 1910, the department approved a map showing definite location of right of way across the Yuma Reservation, Cal., a distance of 3.316 miles. A schedule showing tribal damages amounting to $450.80 was approved on May 14, 1910, the money accepted and deposited to the credit of the Indians. No allotted lands were involved.

Lake Creek and Cœur d'Alene Railway.—On October 16, 1909, maps showing additional right of way of 1.92 miles and station grounds of 13.5 acres on the Cœur d'Alene Reservation were approved.

When the schedule of damages was submitted, it was noticed that part of the right of way and the entire acreage for the station grounds were located upon lands which had been granted to the State of Idaho. The damages for this particular land were eliminated and the schedule approved for $324.90. The company was advised that it must make its own arrangements with the State regarding the right of way and station grounds on the state school lands.

Minneapolis, St. Paul and Sault Ste. Marie.—This company applied for a right of way across Indian allotments and Chippewa ceded lands within the Minnesota National Forest. A map showing location of 26 miles right of way was approved on June 10, 1910. That part of the right of way across the Indian allotments was granted under the act of March 2, 1899, and the right of way across the ceded lands was granted under the act of March 3, 1875 (18 Stat., 482). The damages to the Indian allotments are in course of adjustment.

On February 18, 1910, the company was authorized to survey and locate a line of route across the Fort Berthold Reservation.

The Missouri River Railroad.—A map showing 10.33 acres of station grounds on allotted lands of the Standing Rock Reservation was approved on August 4, 1909. It afterward developed that the allottees had, prior to that time, sold their lands by authority of the

department. The company was notified to arrange with the purchasers for the right of way.

Nevada-California-Oregon Railway.—A schedule of damages to allotments in Modoc County, Cal., amounting to $45, was approved on September 27, 1909. The right of way had previously been granted.

North Coast Railroad.—Two maps showing right of way across the Yakima Reservation, Wash., of 24.68 and 12.28 miles, respectively, were approved on November 10, 1909. Damages are being adjusted.

Northern Pacific Railway.—Under date of May 12, 1909, the department approved a map showing definite location of 21.116 miles right of way across the Fort Berthold Reservation, and designated the superintendent to act with a representative of the company in ascertaining and adjusting the damages.

Olympic Peninsula Railway.—A map showing location of 23.96 miles of right of way across the Quinaielt Reservation was approved on October 25, 1909, and on April 27, 1910, two maps showing location of station grounds aggregating 27.39 acres were approved. Damages have not yet been adjusted.

Oregon Western Railway.—Maps showing location of 51.929 miles right of way and 41.325 acres of station grounds, Klamath Indian Reservation, were approved on October 25, 1909, December 24, 1909, and April 4, 1910. Damages are in process of adjustment.

Oregon Trunk Line.—On April 6, 1910, the department approved a map showing location of 4.02 miles of right of way across the Warm Springs Reservation in Oregon and issued instructions regarding the assessing of damages.

Southern Pacific Railway.—A schedule showing damages of $4,316.52 to tribal lands in the Yuma Indian Reservation, Cal., was approved on May 19, 1910. These damages were for an amended right of way granted on June 18, 1907. The consideration for the amended right of way, in addition to the payment of the amount named, included the relinquishment of the original right of way, which relinquishment is to take effect in sixty days after construction of the line on the amended location.

Toppenish, Simcoe and Western.—A map showing location of 16.44 miles of right of way across the Yakima Reservation was approved on October 18, 1909. A schedule showing damages to allotted lands aggregating $12,963 was submitted. For various reasons five of the allottees declined to assent to the assessment.

On May 7, 1910, the department approved the schedule, except as to these five allottees referred to, and appointed referees to reassess the damages to the particular lands.

Veblen and Northwestern Railroad.—On June 22, 1909, the department approved maps showing definite location of about 13 miles of

right of way across allotments of Sisseton and Wahpeton Sioux Indians, in Roberts and Marshall counties, S. Dak. The superintendent of the Sisseton Indian School has been designated to assess the damage.

Western Dakota Railroad.—The board of referees appointed to assess damages to the allotments of three Standing Rock Indians for right of way was submitted and approved by the department on April 27, 1910. The allottees assented to the appraisement made by the referees.

On August 27, 1909, a map showing location of 13.77 acres of station grounds on the Standing Rock Reservation was approved. The schedule of damages has not yet been submitted.

Western Pacific Railway.—On December 1, 1909, a map showing amended location of 14.711 miles across the Pyramid Lake Indian Reservation was approved.

On March 31 a map of station grounds of 4.59 acres was approved. On the same day the department approved a schedule showing additional tribal damages of $87.52 by reason of the amended location of right of way and station grounds.

ALIENATION OF ALLOTTED LAND.

Any Indian of 21 years or over who holds an allotment of land under a trust patent can—

1. Procure a patent in fee under the act of May 8, 1906 (34 Stat., 182), provided it is shown that he is competent to care for his own affairs.
2. Devise his land by will under the act of June 25, 1910 (36 Stat., 855–856), provided the land is not located in Oklahoma.
3. Sell his land under the act of March 1, 1907 (34 Stat., 1015–1018).

In the issuance of patents in fee the only question involved is the competency of the allottee, and even then the issuance of the fee patent is discretionary with the Secretary of the Interior. It must be clearly shown that the applicant for a fee patent is competent and that the issuance of the patent will be for his best interests.

Wills made by Indians under the act of June 25, 1910, must be approved by the Secretary of the Interior and the Commissioner of Indian Affairs. The will should conform to the laws of the State wherein the land devised is situated. The department will not consider a will after the issuance of a fee-simple patent to the devisor. The will must be drawn by or in the presence of the superintendent having jurisdiction over the land devised. When not so drawn, the circumstances must be satisfactorily explained. The section of the act of Congress approved June 25, 1910, which refers to wills does not apply to lands located in Oklahoma.

Any Indian to whom a patent has been issued containing restrictions against alienation can sell his or her lands under the act of March 1, 1907 (34 Stat., 1015–1018), as modified by the act of June 25, 1910 (36 Stat., 855–856). The land will be sold to the highest bidder and a patent in fee will be issued in the name of the purchaser, except in cases where the land is located in the State of Oklahoma, or where a fee patent with restrictions on alienation had issued to the original allottee. In these cases a warranty deed, executed by the allottee and approved by the Secretary of the Interior, will be given to the purchaser.

The money derived from the sale of the land will be deposited to the credit of the allottee, subject to check, but authority for the expenditure of the money must first be approved by the Commissioner of Indian Affairs. If the Indian is shown to be fairly competent to care for his affairs, a considerable portion of the money will be turned over to him. If good use is made of the privilege, additional sums will be given. In all cases sufficient funds will be given the Indian allottee to meet his absolute needs.

ALIENATION OF INHERITED LAND.

When any Indian to whom an allotment of land has been made, or may hereafter be made, dies before the expiration of the trust period and before the issuance of a fee patent, without having made a will disposing of his allotment, the heirs can—

1. Procure a patent in fee, if competent to care for their own affairs.
2. Sell the land under the supervision of the department.
3. If some of the heirs are competent and others not competent, the land may be partitioned by the Secretary of the Interior, provided it is shown that the lands are capable of partition to the advantage of the heirs. When partitioned, a patent in fee can issue for lands set aside to heirs who are competent, and the lands set aside to heirs who are not competent can be sold under the supervision of the department.
4. In case the land is sold under the supervision of the department the proceeds derived from the sale will be deposited to the credit of the heirs, and in case some of said heirs are competent their shares of the proceeds of sale will be paid to them.

The act of Congress approved June 25, 1910 (36 Stat., 855–856), provides that the Secretary of the Interior, *upon notice and hearing*, under such rules as he may prescribe, shall ascertain the legal heirs of deceased allottees and his decision thereon shall be *final and conclusive.*

When a petition for a patent in fee or a petition for the sale of inherited Indian land is received, the superintendent or other officer

designated by the Secretary of the Interior shall post notices in conspicuous places on the reservation, to the effect that on a certain date and place named he will take testimony to be submitted to the Secretary of the Interior for the purpose of determining the legal heirs of the deceased allottee. This notice shall be posted for a period of thirty days.

Before the time of hearing it shall be the duty of the superintendent or other officer designated by the Secretary of the Interior to carefully examine the allotment, census, annuity rolls, and other records on file at the agency and make notations therefrom as to the relatives of the decedent for use at the hearing.

All persons known to be entitled to participation in the estate, and all persons known by the superintendent who claim to be entitled to participation, must be notified of the time and place when and where the hearing is to be held.

The superintendent is directed to secure the attendance of at least two disinterested persons who are acquainted with and have direct knowledge of the family history of the deceased, to give testimony at the hearing, or he may procure their affidavits, and in case the affiants are not present at the hearing their affidavits must be read and made a part of the record. In case affidavits are submitted and any of the parties claiming an interest desire it, the affiants should be called for the purpose of cross-examination.

At the hearing the heirs, or those claiming as such, should be required to fully set forth their claims. All the testimony taken must be reduced to writing and subscribed and sworn to before the officer conducting the proceeding.

All the testimony taken, a copy of the posted notices to heirs, and a copy of the notice sent to persons to appear at the hearing must accompany the papers when the petition for a patent in fee or the papers relating to the sale of land are submitted for consideration.

CONTRACTS WITH INDIANS FOR LAND HELD IN TRUST.

Investigations made by the Indian Office show that on many reservations certain persons have procured Indians to sign a contract for the sale of Indian land held under a trust patent. While this contract is clearly void, in most instances it has been filed of record and was a cloud upon the title. The act of June 25, 1910 (36 Stat., 855–856), provides as follows:

SEC. 5. That it shall be unlawful for any person to induce any Indian to execute any contract, deed, mortgage, or other instrument purporting to convey any land or any interest therein held by the United States in trust for such Indian, or to offer any such contract, deed, mortgage, or other instrument for record in the office of any recorder of deeds. Any person violating this provision shall be punished by a fine not exceeding five hundred dollars for the first offense, and if convicted for a second offense may be punished by a fine

not exceeding five hundred dollars or imprisonment not exceeding one year, or by both such fine and imprisonment, in the discretion of the court: *Provided*, That this section shall not apply to any lease or other contract authorized by law to be made.

INDIVIDUAL INDIAN MONEYS.

The method of handling individual Indian moneys by depositing them in national banks under a proper surety bond, subject to the check of the Indian depositor when approved by the superintendent in charge of the reservation, has been continued throughout the year.

The educational value to the Indian of the training in handling money is kept constantly in mind by the office in managing these individual funds. An important forward step in training the Indian for self-support was taken last year. On October 29, 1909, instructions were issued to the officers in the field to recommend in their discretion the allowance of individual Indian "privileges" in the unrestricted use of a limited amount of their land proceeds. The object of these "privileges" is to widen the experience of those who are already started in the way of self-support, although still under supervision. The amounts allowed by the office under the recommendation of the superintendent in which he shows the Indian's competency in each case, varies from $1 to $500, according to the ability, opportunities, and resources of the applicant. Under this regulation the first allowance, if expended wisely by the Indians, may be followed by a second, larger in amount. If the Indian has not shown good judgment in the handling of his money, a smaller amount is tried the second time. These carefully guarded tests are calculated to awaken a sense of responsibility in the care of funds and at the same time avoid the disaster of a total loss. At first, requests for these "privileges" were extravagant, and the office was obliged to disallow them in whole or in part. The effect of this policy is now being manifested, however, in the increasing number of applications for smaller allowances without restrictions, showing the Indian's awakened sense of caution in money matters and his realization of the advantage of always retaining a small balance in the bank for a possible emergency.

Another forward step of very great importance has been the absolute abolishment of the "credit system." Under the old arrangement of indiscriminate allowances to all Indians having income from their lands it was the practice of licensed traders and other dealers to encourage the Indians to purchase on credit anything and everything invented or used by civilized man, thus obligating far ahead the funds they could hope to receive. In spite of stringent regulations this worked great hardship upon the Indians, so that it became necessary to definitely stamp it out, so far as the jurisdiction of the office

extended. Accordingly, under the date of December 17, 1909, the department issued an order calling the attention to section 561 of the Regulations of the Indian Office, effective April 1, 1904, in which persons doing business with Indians were warned that when credit was extended to them the creditor must take the risk and that no assistance whatever would be given by the superintendent of this office in the collection of alleged claims against Indians. Attention was invited to the step taken by this office on April 30, 1909, when notice was given to all interested that credit accounts against Indians subsequent to July 1 following would not be settled from funds in its custody unless authority for the purchases had previously been granted through the agent. This latest order laid upon the office the additional restraint that hereafter no assistance, direct or indirect, should be extended to creditors of Indians in the collection of claims.

Henceforth the settlement of debts of this nature from funds in the custody of this office lies entirely with the Indian debtor. The office merely acts as custodian of the funds for the Indian, who may ask permission to apply the funds for the liquidation of a just debt. If the Indian is sufficiently competent, the funds will be turned over to him on his written request, accompanied by the favorable recommendation of the superintendent, in an amount sufficient to cancel his obligation. Basing its action on this order of the department, the office called upon superintendents and agents on February 16, 1910, to proceed at once to collect and transmit the claims of all traders and others against every single Indian having land funds to his credit. The object of these instructions was to make a final clean-up of all claims recently contracted or of long standing against Indians for whose funds the office might, in a measure, be held responsible. Due notice has been given that all claims contracted subsequent to the date of the departmental order referred to will not be allowed unless previously authorized. Many of the claims filed with the superintendent are now in the office, and final action is being expedited in every way. When these are disposed of the administration of Indian-land money will be considerably simplified and the financial resources of the Indians held in readiness for application to present necessities and future needs, instead of being obligated in advance to meet extravagant bills.

A circular issued April 2, 1910, exemplifies the policy of the department as carried out by the office in regard to the application of money derived from the sale of lands. Under its provisions much of the responsibility for the proper handling of individual Indian funds is placed in the hands of the officer immediately in charge. This is manifestly an advantage, as the man on the ground is best acquainted with the conditions and best able to judge where the Indian's permanent advantage lies. This circular provides for the expenditure of

sums of money not exceeding $25 at any one time, or $100 in any one month, to meet emergencies and to enable the superintendent to supply the imperative needs which often arise in the conduct of business without the delay of first obtaining specific authority from this office.

FINANCE DIVISION.

The Finance Division as at present organized includes the following sections: Bookkeeping section, accounts section, and claims section. In none of these sections have there been any radical changes during the year. The bookkeeping section reports that the liability record and the record of expenditures installed last year have fully demonstrated their value and justified the additional labor involved in their keeping. With some slight modifications of form they are expected to be still more efficient in the future.

LAW WORK.

The legal work of the Indian Office during the last fiscal year can properly be divided into two parts: First, advisory; second, constructive.

The advisory work of the law office has been, as heretofore, largely confined to passing upon legal questions which have arisen from time to time in the office and to giving written opinions on troublesome points.

The constructive work of the legal force has consisted in preparing the Indian appropriation bill and its justification and in taking care of all the other legislative needs of the Indians. This constructive feature of the work is summarized in Table 22 under the head of "Summary of vital legislation." One thousand four hundred and sixty-two cases have been passed upon by the legal division of the office during the current year. Among the more important cases and problems passed upon by the law officers have been the questions which have constantly arisen of employing attorneys for Indians and paying them out of the tribal funds. The policy has been enunciated that, except in very clearly defined exceptions, it must be presumed Congress, the Department of the Interior, and the Department of Justice were not only equipped, but required by law to care for and fully protect the legal interests of the Indians.

The most notable exception to this general rule is that class of cases in which the interests of the Indians and that of the United States are adverse. It is obviously improper that any officer of the United States should represent the Indians in this class of cases, but the great majority of the requests for attorneys for Indians originate in the desire of the Indians to obtain certain legislation. The law requires that no attorney shall act for a tribe or for a noncitizen Indian without

the approval of the Secretary of the Interior, the Commissioner of Indian Affairs, and in the case of the Five Civilized Tribes, the approval of the President.

In refusing, generally, to sanction such contracts, except as above mentioned, I have felt that I was following a course which was not only best for the Indians themselves but in accord with the dignity and honor of the United States Government as guardian and trustee.

METHODS DIVISION.

The work of this division is divided into Indian Office and General Service.

Three sections of the office are attached to the Methods Division, viz, statistics, stenographic, and mails and files. These sections, as the names imply, render service to all the other sections and divisions, and the efficiency of the methods employed contributes largely to the successful administration of the office.

The numerous removals of Indian records during the past year have caused considerable confusion in the files for the period from 1800 to 1860. The efforts of the office to secure expert assistants for the work of classifying and arranging these records have met with success, as Congress, during the last session, appropriated $5,000 for this purpose.

Several months were spent in an exhaustive study of the Menominee situation, both at Washington and in the field, in search of information as to what is the present condition, the outlook for the future, and best business methods in organization.

Two and one-half months were spent in the field in making a test installation of an entirely new system of accounting for property, a matter of much importance to the service and in great need of improvement. The new system will be installed during the coming year.

A new method of handling the fiscal affairs of the service is seriously needed. There are over 200 disbursing officers receiving and disbursing funds and rendering accounts. This system is cumbersome and inefficient. After much study the plan of having a receiving and paying officer at some central point in the Indian country was decided on, and a bill providing the necessary legislation was forwarded to the department. A committee appointed by the Secretary is now making a study of the fiscal affairs of the service, with a view to determining what changes are advisable.

A plan has been devised for apportioning the funds provided by Congress so that an officer in charge will know exactly at the beginning of the year the funds that will be at his disposal. Heretofore he has never known definitely at the beginning of the fiscal year the amount that would be available. It is expected that this change will be of great benefit to the service.

INSPECTION.

The inspecting and investigating service of the office, with the assistance of the inspectors of the Department of the Interior, covered during the year the entire field of Indian operations, with the exception of 1 Indian reservation, 2 boarding schools, and 3 day schools. Special investigations of conditions were made on 14 reservations.

There were employed during the year 10 supervisors and 5 special agents, from whom 275 reports were received; 274 of these required and have received administrative action.

The inspecting force of the office was deprived of the services of 7 of its men during the year for a period aggregating eleven hundred and fifteen days, during which time they were employed as acting superintendents in charge of reservations or schools, and as members of commissions.

THE KICKAPOO SITUATION IN OKLAHOMA.

The clearing up of the difficulties of the Kickapoo Indians of Oklahoma has been greatly hindered by legal delays of one kind and another. The Department of Justice, by means of civil suits and criminal actions, is endeavoring to recover for these Indians the lands which have been illegally and fraudulently purchased from them, and to punish those guilty of fraud. These lands were originally sold as a result of the act of June 21, 1906 (34 Stat., 325), which removed all restrictions from the alienation by the Kickapoo Indians of their title to their allotments in Oklahoma. In the opinion of the Department of Justice and of the Indian Service, this act gave authority for the alienation of the equitable titles only and did not authorize the alienation of the legal title to these lands which remained as theretofore in the United States. The Indians, however, immediately began to sell their lands for little or nothing and to give possession to the purchasers of lands, some of which were of great value as town lots. In some instances where the purchasers were unable to procure bona fide signatures from the Indians, they are alleged to have manufactured the signatures to deeds of sale to themselves.

The suits for the recovery of allotments where illegal and fraudulent deeds were procured are still pending in the circuit court of the United States for the western district of Oklahoma. The defendants demurred in these actions. They were argued, submitted on briefs, and taken under advisement by the district judge about a year ago. Recently the cases were reargued and submitted. A decision is expected soon. Two allotments have been recovered by the Government intervening in the State district court for Maverick County, Tex. No other cases have reached final judgment.

Criminal cases have been in the hands of the Department of Justice for a little over a year and they have secured indictments in the

county of Maverick, Tex., in 134 of the cases. The question of paying the expenses and fees of witnesses living in Oklahoma and Mexico for bringing them to Maverick County, Tex., has retarded the progress of these suits. Congress provided for these expenses in March and August, 1909. The greatest trouble, however, has been in securing the extradition of the defendants living in the State of Oklahoma, as the governor of Oklahoma has refused the request of the governor of Texas to send these defendants to Texas for trial.

Other resources have recently availed in bringing these defendants within the jurisdiction of the criminal courts, and satisfactory results are confidently expected in the near future.

OSAGES.

The settlement of the affairs of the Osages is practically completed. This settlement is authorized by the act of June 28, 1906 (34 Stat., 539). The act provided for the division of the lands and moneys of the Osage Indians to be made on the basis of a roll of membership approved by the Secretary of the Interior. Under the provisions of the act each member of the tribe was permitted to take three selections of 160 acres of land each, the selections for minors to be made by parents or the superintendent in charge of the Osage Agency.

The roll was approved April 30, 1908; it contained the names of 2,230 persons. In accordance with the act 1,465,350.50 acres have been allotted to the Indians on the roll; 5,178.53 acres have been reserved for church, town sites, and railroad properties; and there are now approximately 404,924 acres remaining unallotted.

The Osage trust fund on June 30, 1910, amounted to $8,400,006.98. The school fund amounted to $119,911.53. In addition to this these Indians received as royalties from the leasing of their oil and gas lands $240,641.29, making a grand total of $8,760,599.80. This represents approximately the wealth of the Osages in money.

These funds have been segregated and placed to the credit of the individual members in accordance with the provisions of the act already mentioned. The share of each member amounts to $3,928.50.

Under another provision of the Osage act of 1906 the Secretary of the Interior is authorized, in his discretion, at the request and upon the petition of any adult member of the tribe, to issue to such member a certificate of competency which authorizes him to sell and convey any of the lands deeded to him under the act, except his homestead, which must remain inalienable and nontaxable for a period of twenty-five years, or during the lifetime of the homestead allottee, if, upon investigation, the Secretary shall find such member fully competent and capable of transacting his own business and caring for his own individual affairs.

Under this section the Secretary has approved the applications of 375 allottees up to August 1, 1910. This releases from departmental control practically 150,000 acres, or about 400 acres to each allottee.

By the terms of the act of 1906 all the funds, the lands, except as above noted, and minerals belonging to the Osage Indians shall be held in trust by the United States for twenty-five years from the 1st day of January, 1907. At the expiration of such period the lands, minerals, and moneys held in trust are to become the absolute property of individual members of the Osage tribe according to the roll approved by the Secretary, and the act provides that deeds for the lands shall then be issued to the members, or to their heirs, and the moneys shall be distributed to said members or their heirs as is provided in the act, and said members are to have full control of all lands, moneys, and mineral interests now belonging to the tribe.

THE CONSOLIDATION OF THE OMAHA AND WINNEBAGO AGENCIES.

The Omaha and Winnebago agencies were consolidated in the spring of 1910 and one superintendent placed in charge of both. These reservations are situated in northeastern Nebraska and have an area of about 250,000 acres. They were first consolidated in 1878, and the agencies were administered together until 1903, when they were again placed under separate superintendents. Under the present consolidation the business of the agencies is kept separate and conducted in practically the same manner as before. A chief clerk at the Winnebago Agency and another at the Omaha Agency take the place of the former superintendents. This arrangement makes it possible for the superintendent of the consolidated agencies to give all his time to constructive work on the two reservations.

Two expert farmers have been placed on each reservation, and an agricultural fair is to be established to further promote interest in agriculture.

The trust period of the Omahas expired during the past year. It was extended for ten years further so that the office might have opportunity to determine the competency of the allottees to manage their own affairs.

A competency commission was created to do this work, and it reported March 11, 1910. The commission divided the Omahas into three classes: (1) Composed of those fully competent to receive patents in fee for their land; (2) those partially competent and capable of making business transactions in connection with their allotted holdings, but not sufficiently competent to receive patents in fee; (3) those who were wholly incompetent and should remain under the supervision and jurisdiction of the Government for a further period of tutelage.

The progress made by these Indians during the year has amply shown that the consolidation of the two agencies was wise. The increased administrative efficiency resulting from it should make possible even greater development in the coming year.

The administrative changes made on these reservations last spring, while promoting agriculture among the Indians and leading to greater general efficiency, have at the same time resulted in a net reduction in the cost of administration.

CROW RESERVATION—MARKED SUCCESS OF NEW METHODS OF LEASING TRIBAL LANDS.

The new method of leasing tribal lands whereby leases are granted under the sealed-bid plan and the property of the Indians more adequately protected met with its most conspicuous success on the Crow Reservation, in Montana. The grazing lands of this reservation are much sought by stock owners, as they are among the best grazing lands in the West. The bidding for grazing privileges on the lands was therefore spirited, and the leases brought thousands of dollars more than ever before.

During the years 1908–9 five pastures on the Crow Reservation were let for $33,001.27, while the same pastures, under the new system, brought this year $140,250, or more than four times as much as the pastures brought the year before.

FIVE CIVILIZED TRIBES.

The question of opening the rolls of the Five Civilized Tribes came up before Congress last year, but no legislation was enacted and the citizenship rolls of the Five Civilized Tribes still remain closed as of March 4, 1907. Hearings were held before both Senate and House Committees on Indian Affairs looking to the reopening of the citizenship rolls. The reason for this proposal was that there might be added to the rolls the names of 52 persons whose cases were passed upon favorably by the Commissioner to the Five Civilized Tribes, but the records thereof did not reach the department until after March 4, 1907, when the rolls were closed, and also that there might be a review of about 2,100 cases decided between February 19 and March 4, 1907, following the opinion of the Attorney-General of February 19, 1907 (26 Ops. Attorney-General, 127), wherein he held different views from those entertained by the Department of the Interior and upon which decisions had been rendered in many cases. It was also planned that the opening of the rolls should include an investigation of the proposed transfer of the names of certain Choctaws and Chickasaws from the freedmen roll to the roll of citizens by blood because there was an alleged preponderance of Indian blood.

It is the belief of almost everyone interested in the welfare of the Indians that any reopening of the rolls would prove most unfortunate.

The rolls can not be considered as finally settled, however, until decisions are made in two important cases now before the courts. The Muskrat case, which is now pending before the Supreme Court, brings in question the enrollment of 5,590 enrolled Cherokees to whom tentative allotments have already been made. The Moses Whitmire case, now pending in the Court of Claims, will affect the right to enrollment of about 1,500 rejected freedmen claimants to citizenship in the Cherokee Nation, and should the Court of Claims decide in their favor the names of those persons will have to be transferred to the final approved roll of Cherokee citizens.

The equalization of the Creek allotments is a problem for Congress yet to solve, as no legislation on the subject was enacted at the last session, although bills upon the subject were introduced in both House and Senate. The question involved is whether the United States is liable for the deficit in lands and funds of the Creek Nation caused by the allotment at the tribe's request of land to its after-born children, thereby leaving insufficient lands and funds to equalize the allotment of adult Creeks in accordance with existing law. The question is primarily one for the courts to decide and will probably be settled by a reference to the Court of Claims.

The most serious problem which confronts the administration of the affairs of the Five Civilized Tribes is the final disposition of the segregated coal lands belonging to the Choctaw and Chickasaw nations, which can neither be leased nor sold under existing law. Section 61 of the Choctaw-Chickasaw agreement approved July 1, 1902 (32 Stat., 641), provided that:

> No lease of any coal or any asphalt lands shall be made after the final ratification of this agreement (September 25, 1902).

Thereafter, Congress, by section 13 of the act of April 26, 1906 (34 Stat., 137), provided:

> That all coal and asphalt lands, whether leased or unleased, shall be reserved from sale under this act until the existing leases for coal and asphalt lands shall have expired or until such time as may be otherwise provided by law.

Thus, the segregated coal lands stand in statu quo awaiting further legislation by Congress toward any further disposition of such lands.

The area of the segregated coal lands is 445,000 acres, of which 100,000 acres are under leases bearing date between July 11, 1899, and September 16, 1902, and running for a term of thirty years from date thereof.

A difference of opinion exists as to the extent and true value of the coal deposits, which have been examined by Joseph A. Taff, an expert from the Geological Survey, who made a surface examination

of outcroppings, and by the supervisor of mines, William Cameron, whose latest estimate, made from the drilling of 37 test holes, pursuant to the provisions of the act of June 21, 1906 (34 Stat., 346), in his report of November 5, 1909, is: Workable coal area on both unleased and leased, segregated lands 281,556 acres, valued at $12,238,189, not including the surface, which the Commissioner to the Five Civilized Tribes values at $6,675,780, thus making the total estimated value of the surface of the land and coal deposits thereunder $18,913,969, or in round numbers nearly $19,000,000, which differs widely from the estimate placed upon the coal lands by Joseph A. Taff, the geological expert, who went as high as $100,000,000.

The large area of timber lands in the Choctaw and Chickasaw nations presents another difficulty in the way of winding up the affairs of the Five Civilized Tribes. This land was segregated by departmental letter of December 8, 1906, modified January 12, 1907, in which the Secretary of the Interior directed the Commissioner to the Five Civilized Tribes to withhold from further allotment an area of about 2,200,000 acres of land, of which 840,000 acres had already been allotted to citizens of the Choctaw and Chickasaw nations, leaving approximately 1,370,000 acres unallotted and estimated to be worth $1,559,500, and of which the Secretary sought to induce Congress to create a national forest.

Congress has not yet confirmed his action by taking any steps looking toward the creation of a national forest. The Indians to whom have been allotted 840,000 acres within that area are authorized to dispose of the timber on their lands, which is scattered through this tract. Consequently extensive depredations have been and are continually being committed on this allotted land which experience has demonstrated it is important to prevent, although constant surveillance is maintained at considerable expense.

During the past year, as a result of the investigations of timber depredations, 60 persons were indicted by federal grand juries for the unlawful cutting of timber on these tribal lands. Fifteen were convicted and settlements have been made through the United States attorneys' offices, resulting in the recovery to the tribes of about $10,000 for timber illegally taken, and the cases dismissed.

THE SAC AND FOX INDIANS IN IOWA.

The question of the settlement of the affairs of the Sac and Fox Indians in Iowa came up during the past year. A bill (H. R. 23963) was introduced in Congress which provided for the allotment of the lands of these Indians and for the disposition of their tribal funds. The department doubted whether legislation directing the division of the lands among the Indians would be wise. It sug-

gested that legislative action be delayed until the office could make further investigation of existing conditions.

The Sac and Fox of the Mississippi tribe of Indians in Iowa numbers 352 persons. The status of these Indians is peculiar in that they own their lands. They are the survivors and progeny of that part of the tribe which refused to move to the Indian Territory from Kansas, and in 1857 returned to its original home in Iowa. With their own money they purchased about 80 acres of land. The deed to this land was made in the name of the governor of Iowa as trustee in order that they might more effectually protect their holdings. Other purchases of land were subsequently made by them with their own funds and the title taken either by the governor of Iowa or the Indian agent of the United States as trustee. They now own about 3,000 acres, which is held by them in common.

In 1896 the State of Iowa, by act of the legislature, ceded to the United States jurisdiction over these Indians and their lands. By the act of June 10, 1896 (29 Stat., 331), Congress accepted the jurisdiction, and the legal title and trusteeship of the lands was transferred from the governor of the State and United States Indian agent to the Secretary of the Interior.

The Iowa branch of the Sac and Fox of the Mississippi tribe has a proportionate interest in the $1,000,000 capitalized by the act of March 3, 1909 (35 Stat., 781). This branch of the tribe is entitled also to a proportionate share in the $20,000 capitalized by the Indian appropriation act approved April 4, 1910. This sum is the commutation of the perpetual annuity of the Sac and Fox of the Mississippi tribe under the treaty of November 3, 1804 (7 Stat., 84). In addition there remains in the Treasury to the credit of this branch of the tribe a balance of $9,603.93 from the fund known as the "Sac and Fox of the Mississippi in Iowa fund," arising under the provision of the act of June 10, 1896, already mentioned.

The first step toward settling the affairs of these Indians should unquestionably be the allotment of their lands. But there are serious difficulties in the way. Although the legal title of the lands is in the Secretary of the Interior as trustee, the lands were bought by the Indians with their own funds and belong to them. For that reason I do not believe it would be right to make any change in the present status of the lands without first gaining the consent of the Indians. Their attitude upon the question of allotment has been one of persistent opposition, and at the present time there is no likelihood of obtaining their consent to the breaking up of tribal ownership. Their tract of land is not large, and if prorated among the members of the tribe would give to each man only about 10 acres. Such a small holding would not be adequate for the support of these ignorant and nonprogressive Indians.

NORTHERN CHEYENNES.

A good start has been made in cattle raising among the Northern Cheyenne Indians upon the Tongue River Reservation, Mont. This reservation is an ideal grazing range of some 460,000 acres. Several years ago 2,000 cows were purchased for breeding purposes and upon this purchase the cattle industry of the Indians has been based. The cattle are owned by 442 individual Indians, each individual owner having a separate brand. The aggregate stock owned by all the Indians amounts to 6,000 head.

Several Indians own as many as 50 head of cattle, many of them but 1 or 2 head and no Indian owns over 100 head. The herds are slowly increasing. This fact lends much encouragement to the administration, as in the past the Northern Cheyennes have slaughtered many cattle, thus checking their increase. The future outlook for the growth of these herds is very encouraging.

The marketable steers and such cows as are fit for market are gathered annually and shipped to Chicago. Individual returns are made by the commission merchants handling the shipments and payments are made in full to the individual Indians interested.

The Cheyenne beef has been able to command the best prices and it appears to be desirable that this means of disposing of the increase be continued.

From this good beginning great progress is looked for in the coming year.

THE WHITE EARTH SITUATION.

A situation of extreme seriousness was discovered at the White Earth Reservation in Minnesota during the year. It is the old story of the robbery of Indian lands and the dirty work that goes with it. The fraud began in connection with the sale of the lands of the mixed-blood adults on the reservation. This sale was authorized by act of Congress June 21, 1906 (34 Stat., 325–353), which removed all restrictions against the sale, encumbrance, or taxation of allotments within the White Earth Reservation held by adult mixed-blood Indians. The act also declared that the trust deeds executed by the department for such allotments passed the title in fee simple.

The allottees began to sell their lands as soon as the act was passed. The cupidity of the white purchasers led to flagrant violations of the law. They purchased lands of Indians who were unquestionably full-bloods and plainly not competent to sell their lands under the law. Trickery and fraud of all kinds was resorted to, and finally about 95 per cent of the allotments, or the timber on the allotments, of White Earth allottees had been disposed of under the pretended authority of the law mentioned. Millions of dollars were involved in these illegal sales.

An investigation by representatives of the department was made early in the present fiscal year, and as a result thoroughgoing measures have been set on foot to get back the stolen lands as soon as possible. An employee of the office has been specially assigned to the preparation of the legal cases that will be necessary, and special United States attorneys have been assigned by the Department of Justice to recover the lands and value of the timber purchased from full-blood Indians, full-blood minors, and mixed-blood minors.

This work is being pushed with all possible energy, although progress is necessarily somewhat slow on account of the many legal difficulties in the way.

THE APACHES AT FORT SILL.

An effort was made at the last session of Congress to procure legislation for allotment of land to the Apaches on the Fort Sill Military Reservation. Two bills were introduced for this purpose—S. 6152 and H. R. 25297. Both bills failed of enactment, and an effort (H. J. Res. 196) to provide for the removal of this band of Indians to any Apache Indian Reservation in Arizona or New Mexico also failed of enactment.

This band of Apaches was removed to the Fort Sill Military Reservation, Okla., in 1894 on account of their outrages upon the settlers in Arizona and New Mexico. They have been under military surveillance since that time. A number of them have become fairly successful farmers and stock raisers. On the whole, they have made considerable progress. They have all become attached to their lands. It is the opinion of this office that such as wish should be permitted permanently to remain on and have allotted to them these lands upon which they now have their homes.

PAYMENT TO OTTAWA AND CHIPPEWA INDIANS OF MICHIGAN.

Payment to the Ottawa and Chippewa Indians of Michigan is now under way. This payment is being made as the result of a decision of the United States Court of Claims of March 4, 1907, which awarded these Indians the sum of $62,496.40, with interest from March 9, 1885, a total of $131,188.94.

This claim of the Indians had its origin in article 4 of the treaty of March 28, 1836 (7 Stat., 491), which provided, inter alia, that the Government for a period of twenty years thereafter should invest the sum of $1,000 in stock, to be held in the Treasury for the benefit of the tribe.

By the treaty of July 31, 1885 (11 Stat., 621), the tribe seemed to release the United States from all liability under its prior treaty.

In 1885 the stocks and bonds purchased under the treaty of 1836 were sold and the proceeds converted to the use of the United States. The tribe still maintained that it did not surrender the securities mentioned, and was authorized by the act of March 3, 1905 (33 Stat., 181), to take its cause to the United States Court of Claims.

The sum of $9,786.69, which represented certain moneys that had been erroneously covered into the funds of the Treasury, is included in this payment.

The roll of the Ottawa and Chippewa Indians of Michigan entitled to participate in these funds was made in accordance with the act of April 30, 1908 (35 Stat., 70). It contains the names of 5,442 members of the tribe living March 4, 1907, and also the names of 202 children born after that date and prior to August 1, 1908, the date of completing the roll in the field.

The sum of $105,758.69 is being disbursed to the 5,442 members of the tribe, a per capita payment of $19.43. The $9,786.69 to be paid to the 5,442 members of the tribe plus the 202 children born after the date of the judgment will be divided equally, making a second per capita payment of $1.74. The total per capita to be paid to the adult members of the tribe is $21.16. The children born subsequent to the date of the award will receive per capita $1.74.

The Ottawa and Chippewa Indians of Michigan represented by the treaty of July 31, 1855, as entitled to share in the award and other funds mentioned were made up of five bands—Sault Ste. Marie, Mackinac, Little Traverse, Grand Traverse, and Grand River. The Chippewas known as Black River, Swan Creek, and Saginaw bands were not parties to the award and are not entitled to share in the payments now being made.

Respectfully,

ROBERT G. VALENTINE,
Commissioner.

STATISTICAL TABLES.

TABLE 1.—*Enrollment, average attendance, number of employees, expenditures, and value of products of Indian schools, fiscal year ended June 30, 1910.*

Classes of schools.	Total enrollment.	Average enrollment.	Average attendance.	Employees. Sex. Male.	Employees. Sex. Female.	Employees. Race. Indian.	Employees. Race. Non-Indian.	Employees. Total.
Exclusive of Five Civilized Tribes.								
Government:								
Nonreservation boarding	8,863	7,812	7,383	385	428	205	608	813
Reservation boarding	10,765	9,474	8,823	501	706	349	858	1,207
Day	7,152	5,952	4,667	190	276	63	403	466
Field service	....	....	....	20	20	2	38	40
Total	26,780	23,238	20,873	1,096	1,430	619	1,907	2,526
Mission:								
Boarding	3,654	3,227	2,935	172	275	37	410	447
Day	216	184	129	2	11	2	11	13
Total	3,870	3,411	3,064	174	286	39	421	460
Contract:								
Mission boarding	1,084	975	899	58	74	9	123	132
Hampton Institute	85	73	66	8	8	......	16	16
Public day	111	92	43	......	......	......	......	......
Total	1,280	1,140	1,008	66	82	9	139	148
Total, exclusive of Five Civilized Tribes	31,930	27,789	24,945	1,336	1,798	667	2,467	3,134
Five Civilized Tribes.								
Contract and tribal:								
Boarding	3,137	2,355	1,923	[b] 913	......	......	[c] 913	913
Day	2,816	[a] 2,816	[a] 2,816	......	......	......	......	......
Total	5,953	5,171	4,739	[b] 913	......	......	[c] 913	913
Grand total	37,883	32,960	29,684	2,249	1,798	667	3,380	4,047

[a] Average attendance and enrollment not reported. Figures represent total enrollment.
[b] Includes female employees.
[c] Includes Indian employees.

TABLE 1.—*Enrollment, average attendance, number of employees, expenditures, and value of product of Indian schools, fiscal year ended June 30, 1910*—Continued.

Classes of schools.	Expenditures.						
	Operation.		Transportation of pupils.	Building repairs.	Total operation and maintenance.	Outlays.	Total expenditures.
	Salaries and wages.	Miscellaneous.					
Exclusive of Five Civilized Tribes.							
Government:							
Nonreservation boarding	$539,398	$824,637	$64,353	$99,681	$1,528,069	$64,949	$1,593,018
Reservation boarding	683,091	894,249	4,094	124,518	1,705,952	202,544	1,908,496
Day	241,864	101,812	373	14,219	358,268	47,568	405,836
Field service	1,508				1,508		[a] 1,508
Total	1,465,861	1,820,698	68,820	238,418	3,593,797	315,061	3,908,858
Mission:							
Boarding		341,436			341,436		341,436
Day		46,796			46,796		46,796
Total		388,232			388,232		388,232
Contract:							
Mission boarding		88,639			88,639		88,639
Hampton Institute		10,975			10,975		10,975
Public day		1,431			1,431		1,431
Total		101,045			101,045		101,045
Total, exclusive of Five Civilized Tribes	1,465,861	2,309,975	68,820	238,418	4,083,074	315,061	4,398,135
Five Civilized Tribes.							
Contract and tribal: Boarding	197,732	188,827		21,062	407,621	65	407,686
Total	197,732	188,827		21,062	407,621	65	407,686
Grand total	1,663,593	2,498,802	68,820	259,480	4,490,695	315,126	4,805,821

Classes of schools.	Per capita cost of operation and maintenance.	Value of products raised.		
		Consumed.	Sold.	Total.
Exclusive of Five Civilized Tribes.				
Government:				
Nonreservation boarding	$207	$113,326	$16,510	$129,836
Reservation boarding	193	92,361	29,232	121,593
Day	77	2,948	1,192	4,140
Total	172	208,635	46,934	255,569
Mission:				
Boarding	116			
Day	363			
Total	127			
Contract:				
Mission boarding	99			
Hampton Institute	166			
Public day	33			
Total	100			
Total, exclusive of Five Civilized Tribes	164	208,635	46,934	255,569
Five Civilized Tribes.				
Contract and tribal: Boarding	86			
Total	86			
Grand total	151	208,635	46,934	255,569

[a] Expenditures for balance of field service included under various classes of schools.

TABLE 2.—*Number of pupils contracted for, average attendance, and cost of contract schools during fiscal year ended June 30, 1910.*

State.	Number of pupils contracted for.	Average attendance.	Amount paid.
Montana	60	55	$5,974.52
Nebraska	59	24	674.39
Oklahoma	329	217	23,423.89
South Dakota	581	525	56,665.59
Utah	27	19	756.85
Virginia	120	66	10,974.99
Wisconsin	150	147	15,872.87
Total	1,326	1,053	114,343.10

TABLE 3.—*Indians in public schools not under government contract during the fiscal year ended June 30, 1910.*

State.	Enrollment.	Average attendance.
Arizona	25	17
California	209	137
Idaho	12	8
Kansas	23	4
Minnesota	200	101
Montana	123	64
Nebraska	11	9
Nevada	15	12
Oklahoma	275	160
Oregon	48	39
South Dakota	71	47
Utah	19	11
Washington	135	112
Wisconsin	207	130
Wyoming	23	13
Total	1,396	864

TABLE 4.—*Enrollment of white children in Indian schools during fiscal year ended June 30, 1910.*

States.	Highest enrollment.	Average. attendance.
Arizona	1	1
California	2	2
Kansas	76	34
Minnesota	6	2
Montana	50	24
New Mexico	2	1
North Dakota	1	1
Oklahoma	5	2
Oregon	2	2
South Dakota	3	2
Wisconsin	47	27
Wyoming	11	5
Total	206	103

TABLE 5.—*Vital statistics of Indians as compared with all races for fiscal year ended June 30, 1910.*

	Births per 1,000 population.	Deaths per 1,000 population.
Indians [a]	30.2	24
All races	[b] 35.1	[c] 15

[a] Based upon population of 149,776, being population of those reservations from which accurate statistics could be procured.

[b] Census of 1900. Estimated.

[c] Census Bureau report of 1909. Based on registration area of the United States with an estimated population of 48,776,893.

TABLE 6.—*Expenditures for irrigation work on Indian reservations during fiscal year ended June 30, 1910, and total expenditures to that date.*

Project or reservation.	Expenditures, fiscal year 1910.	Expenditures to June 30, 1910.	Estimated additional cost to complete.	Acreage under project June 30, 1910.	Acreage under ditch June 30, 1910.
Arizona:					
Camp McDowell		$7,055.36	(a)	[b] 450	450
Colorado River	$3,409.90	119,914.61	(a)	150,000	206
Fort Apache		6,204.70	(a)	[b] 1,400	1,400
Fort Mojave	1,146.45	10,611.93	(a)	1,000	
Havasupai		1,910.00	$2,500.00	(c)	
Kaibab		5,073.02		220	220
Keams Canyon		5,567.30	(a)	(c)	
Papago	365.96	8,083.69	(a)	[b] 1,400	1,400
Pima	124,713.26	324,382.50	340,000.00	25,000	
Rice Station		7,855.77	(a)	(c)	
San Carlos	42.00	65,218.01	(a)	[b] 850	850
Truxton Canyon	1,987.10	15,332.52		20	20
California:					
Reservations in southern California	29,244.36	139,959.59	(a)	3,800	3,490
Colorado:					
Southern Utes, allotted	1,882.95	75,530.24	149,848.27	18,630	3,365
Fort Lewis	42.00	522.69	(a)	(c)	
Idaho:					
Fort Hall	182,954.71	707,914.87	79,788.89	42,000	20,000
Fort Lapwai		2,995.70	(a)	[b] 299	299
Lemhi		2,268.25	(a)	(c)	
Montana:					
Blackfeet	123,212.02	237,214.79	1,070,596.25	44,000	14,000
Crow	64,944.47	990,023.61	(a)	69,340	62,689
Flathead	174,318.53	235,645.85	4,281,260.72	150,000	
Fort Belknap	25,937.14	161,681.46	49,780.86	34,600	20,900
Fort Peck	36,235.25	89,713.56	2,147,851.54	170,000	1,200
Fort Shaw	131.85	2,769.31		100	100
Northern Cheyenne—Rosebud		4,684.48	(a)	(c)	
Northern Cheyenne—Tongue River	27,124.89	112,856.14	(a)	6,000	1,400
Nevada:					
Carson Sink allotments	12,064.00	24,128.00	96,512.00	4,640	4,640
Fort McDermitt	1,218.95	1,218.95	191.05	300	300
Moapa River	11.50	137.08	(a)	175	175
Pyramid Lake	48.96	39,824.09	65,000.00	3,500	1,000
Walker River	16,040.60	89,568.30	(a)	5,764	1,400
Western Shoshone	617.97	29,148.54	(a)	6,000	300
New Mexico:					
Albuquerque		4,818.08	(a)	(c)	
Jicarilla	688.60	7,564.09	(a)	280	280
Mescalero	123.50	8,927.90	(a)	350	350
Navajo and Moqui	31,454.76	211,938.81	(a)	15,000	4,600
Pueblos	1,659.59	41,240.78	(a)	[b] 6,656	6,656
San Juan		7,112.23	101,577.00	[b] 4,500	4,500
Santa Fe		3,422.74	(a)	(c)	
Zuni	44,104.69	371,377.30	181,243.61	8,000	3,200
Oregon:					
Klamath (irrigation)	176.98	35,141.59	154,780.96	6,320	3,000
Klamath (drainage)			(a)	73,680	
Warm Springs		200.00		10	10
South Dakota:					
Pine Ridge	1,000.00	35,690.03	(a)	[b] 65	65
Utah:					
Uintah	140,487.88	670,155.51	228,976.91	98,360	65,720
Shivwits				100	100
Washington:					
Colville			(a)	[b] 1,746	1,746
Yakima	22,934.02	251,685.52	1,715,104.48	100,000	30,000
Wyoming:					
Shoshone	83,345.66	445,513.12	174,486.88	63,657	45,399
Administration:					
Mission Indians, preliminary examinations, etc	41,256.89	131,833.16			
Total	1,194,927.39	5,751,635.77	10,839,499.42	1,118,212	305,430

[a] No data available as to estimated cost, only rough preliminary surveys having been made.
[b] Shows acreage now under ditch. No information to show acreage under project.
[c] No acreage under ditch thus far and no information to show acreage under project, only rough preliminary surveys having been made.

TABLE 7.—*Population of Indians, June 30, 1910.*

Grand total (exclusive of Alaska)	304,950
Five Civilized Tribes, including freedmen and intermarried whites	101,287
Exclusive of Five Civilized Tribes	203,663

BY STATES AND TERRITORIES.

State	Number	State	Number
Arizona	38,475	New Mexico	18,837
California	20,976	New York	5,476
Colorado	815	North Carolina	1,999
Florida	358	North Dakota	8,256
Idaho	3,988	Oklahoma	117,088
Indiana	243	Oregon	3,477
Iowa	372	South Carolina	60
Kansas	1,385	South Dakota	20,303
Maine	425	Texas	470
Michigan	6,784	Utah	1,697
Minnesota	11,095	Washington	9,625
Montana	10,766	Wisconsin	10,303
Nebraska	3,784	Wyoming	1,701
Nevada	6,192		

BY SCHOOLS AND TRIBES.

School and tribe	Number
Arizona:	
Camp McDowell School—	
Mohave-Apache	171
Yavapai-Apache	7
Yuma-Apache	22
	200
Camp Verde School—	
Mohave-Apache	282
Tonto-Apache	118
	400
Colorado River School—	
Mohave	477
Chemehuevi	4
Chemehuevi in Chemehuevi Valley	[a] 55
	536
Fort Apache School—	
White Mountain Apache	2,269
Fort Mohave School—	
Chemehuevi	140
Mohave	742
	882
Havasupai School—	
Havasupai	177
Kaibab School—	
Paiute	83
Leupp School—	
Navaho	[b] 1,000
Arizona—Continued.	
Moqui School—	
Moqui (Hopi)	1,804
Navaho	[b] 2,000
	3,804
Navaho School—	
Navaho	[b] 10,000
Pima School—	
Apache	11
Maricopa	321
Papago	704
Pima	4,246
Not on reservation—	
Apache	48
Papago	520
Pima	59
	5,909
San Xavier—	
Papago	[b] 4,000
San Carlos School—	
Coyotero-Apache	528
Mohave-Apache	89
San Carlos-Apache	1,072
Tonto-Apache	582
Yuma	1
	2,272
Truxton Canon School—	
Walapai	498

[a] From report of 1906.

[b] Estimated.

Arizona—Continued.	
Western Navaho School—	
Moqui (Hopi)	182
Navaho	[a] 6,150
Paiute	113
	6,445
California:	
Bishop School—	
Paiutes	481
Cahuilla School—	
Mission Indians at—	
Cahuilla	152
Santa Rosa	74
	226
Campo—	
Mission Indians at—	
Campo	69
Cuyapipe	29
Laguna	8
La Posta	6
Manzanita	84
	196
Capitan Grande School—	
Mission Indians at—	
Capitan Grande	79
Los Conejos	58
Syquan	37
	174
Under farmer—	
Digger	48
Fort Bidwell School—	
Paiute	144
Pit River (Achomawi)	483
	627
Fort Yuma School—	
Yuma	655
Greenville—	
Digger	490
Washoe	75
	565
Hoopa Valley School—	
Hoopa	436
Lower Klamath	[b] 745
	1,181
La Jolla School—	
Mission	125
California—Continued.	
Malki School—	
Mission Indians at—	
Mission Creek	5
Morongo	270
Palm Springs	42
San Manuel	53
Twenty-nine Palms	17
	387
Martinez School—	
Mission	308
Mesa Grande School—	
Mission Indians at—	
Mesa Grande and Santa Ysabel Nos. 1 and 2	193
San Pascual	86
	279
Pala School—	
Mission Indians at—	
Pala	205
Pauma	54
	259
Pechanga School—	
Mission	186
Rincon Reservation—	
Mission	84
Round Valley School—	
Concow	183
Little Lake and Redwood	99
Nomelaki and Pit River (Achomawi)	94
Yuki and Wailaki	231
	607
Soboba School—	
Mission Indians at—	
Santa Ynez	62
Soboba	141
	203
Tule River School—	
Tule River	156
Upper Lake—	
Potter Valley (Digger)	55
Ukiah (Digger)	135
Upper Lake (Digger)	650
	840

[a] Estimated.

[b] From report of 1895.

Location	Number
California—Continued.	
Volcan School—	
Mission Indians at—	
Inaja	33
Los Coyotes	126
Santa Ysabel No. 3	169
	328
Not under an agent—	
Wichumni, Kawia, Pit River (Achomawi), and others	[a] 13,061
Colorado:	
Navaho Springs School—	
Wiminuche Ute	463
Southern Ute School—	
Capote and Moache Ute	352
Florida:	
Not under an agent—	
Seminole	[b] 358
Idaho:	
Coeur d'Alene Reserve—	
Coeur d'Alene	537
Spokane	96
	633
Fort Hall School—	
Bannock and Shoshoni	1,273
Lemhi	449
	1,722
Fort Lapwai School—	
Nez Perce	1,433
Not under an agent	[c] 200
Indiana:	
Not under an agent—	
Miami	[b] 243
Iowa:	
Sac and Fox School—	
Pottawatomie	2
Sac and Fox	365
Sioux	1
Winnebago	4
	372
Kansas:	
Kickapoo School—	
Iowa	273
Kickapoo	209
Sac and Fox	87
	569

Location	Number
Kansas—Continued.	
Pottawatomie School—	
Munsee (or Christian) and Chippewa	[b] 92
Prairie Band of Pottawatomie	724
	816
Maine:	
Not under an agent—	
Oldtown	425
Michigan:	
Bay Mills School—	
Chippewa	236
Under physician—	
L'Anse Vieux Desert and Ontonagon Chippewa	[d] 883
Not under an agent—	
Scattered Chippewa and Ottawa	[b] 5,587
Pottawatomie of Huron	[e] 78
Minnesota:	
Fond du Lac School—	
Chippewa	929
Leech Lake School—	
Cass and Winnebagoshish	447
Leech Lake Pillager	797
Mississippi Chippewa	463
	1,707
Nett Lake School—	
Chippewa (Bois Fort)	637
Red Lake School—	
Red Lake and Pembina Chippewa	1,404
White Earth School—	
Fond du Lac Chippewa (removal)	111
Mississippi Chippewa—	
Gull Lake	401
Mille Lac (removal)	990
Mille Lac (nonremoval)	288
White Oak Point (removal)	259
White Earth	1,995
Pembina Chippewa	361

[a] From report of special agent March 21, 1906; 1,306 are on forest reserve.
[b] United States census of 1900.
[c] From report of 1902.
[d] From pay roll of 1906.
[e] From pay roll of 1888.

Minnesota—Continued.	
White Earth School—Con.	
Pillager Chippewa—	
Cass and Winnebagoshish (removal)	63
Leech Lake (removal)	277
Otter Tail	744
	5,489
Not under an agent—	
Mdewakanton Sioux—	
At Birch Cooley	[a] 150
Elsewhere	[b] 779
Montana:	
Blackfeet School—	
Chippewa	138
Piegan	2,269
	2,407
Crow School—	
Crow	1,740
Flathead School—	
Confederated Flathead	2,265
Fort Belknap School—	
Assiniboine	696
Gros Ventre	501
	1,197
Fort Peck School—	
Assiniboine Sioux	654
Yankton Sioux	1,102
	1,756
Tongue River School—	
Northern Cheyenne	1,401
Nebraska:	
Santee Agency—	
Ponca	290
Santee Sioux	1,155
	1,445
Winnebago School—	
Omaha	1,276
Winnebago	1,063
	2,339
Nevada:	
Fallon School—	
Paiute	319
Fort McDermitt—	
Paiute	345
Nevada—Continued.	
Lovelocks School—	
Paiute	102
Moapa River School—	
Paiute	128
Nevada School—	
Paiute of Pyramid Lake	610
Walker River School—	
Paiute	484
Western Shoshoni School—	
Hopi	1
Paiute	250
Shoshoni	252
	503
Not under an agent	[c] 3,701
New Mexico:	
Albuquerque School—	
Navajo	191
Pueblo	4,160
	4,351
Jicarilla School—	
Jicarilla Apache	743
Mescalero School—	
Mescalero Apache	453
Pueblo Bonito—	
Navajo	[d] 2,783
San Juan School—	
Navajo	[d] 5,500
Santa Fe School—	
Pueblo	3,367
Zuni School—	
Pueblo	1,640
New York:	
New York Agency—	
Cayuga	182
Oneida	276
Onondaga	547
Seneca	2,735
St. Regis	1,368
Tuscarora	368
	5,476
North Carolina:	
Cherokee School—	
Eastern Cherokee	1,999
North Dakota:	
Fort Berthold School—	
Arickaree	411
Gros Ventre	466
Mandan	255
	1,132

[a] Report of 1901.
[b] From report of 1899.
[c] United States Census 1900.
[d] Estimated.

North Dakota—Continued.	
Fort Totten School—	
Sisseton, Wahpeton, and Cut Head Sioux (known as Devils Lake Sioux)	986
Turtle Mountain Chippewa	2,684
	3,670
Standing Rock School—	
Sioux	3,454
Oklahoma:	
Cantonment School—	
Arapaho	243
Cheyenne	513
	756
Cheyenne and Arapaho School—	
Arapaho	506
Cheyenne	747
	1,253
Five Civilized Tribes [a]—	
Cherokee—	
By blood	36,301
By intermarriage	286
Delawares	197
Freedmen	4,917
	41,701
Chickasaw—	
By blood	5,688
By intermarriage	645
Freedmen	4,651
	10,984
Choctaw—	
By blood	17,489
By intermarriage	1,651
Mississippi Choctaws	1,637
Freedmen	5,985
	26,762
Creek—	
By blood	11,911
Freedmen	6,806
	18,717
Seminole—	
By blood	2,137
Freedmen	986
	3,123
Oklahoma—Continued.	
Kaw School—	
Kansa (Kaw)	231
Kiowa School—	
Apache	165
Comanche	1,476
Kiowa	1,366
Wichita and Caddo	1,021
	4,028
Osage School—	
Osage	2,100
Otoe School—	
Otoe and Missouri	411
Pawnee School—	
Pawnee	653
Ponca School—	
Ponca	583
Tonkawa	53
	636
Red Moon School—	
Cheyenne	161
Sac and Fox School—	
Iowa	80
Sac and Fox of the Mississippi	541
	621
Seger School—	
Arapaho	143
Cheyenne	433
	576
Seneca School—	
Eastern Shawnee	113
Miami (Western)	127
Modoc	67
Ottawa	208
Peoria	197
Quapaw	307
Seneca	380
Wyandot	372
	1,771
Shawnee School—	
Absentee Shawnee	445
Citizen Pottawatomie	1,655
Mexican Kickapoo	243
	2,343
Under War Department—	
Apache at Fort Sill	261
Union Agency (see Five Civilized Tribes).	

[a] Only those Indians appearing on rolls. No data as to number not enrolled.

Oregon:	
Klamath School—	
Klamath, Modoc and Yahooskin Band of Snake	1,126
Siletz School—	
Clackamas	6
Rogue River	10
Santiam	5
Siletz (Confederated)	437
Umpqua	13
Wapato Lake	4
Yamhill	5
Indians who have received patents in fee	[a] 102
	582
Umatilla School—	
Cayuse	298
Umatilla	151
Walla Walla	461
	910
Warm Springs School—	
Warm Springs (Confederated), Wasco, Tenino, and Paiute	780
Allottees permanently absent from the reservation	[b] 79
South Carolina:	
Not under an agent—	
Catawba	[c] 60
South Dakota:	
Cheyenne River School—	
Blackfeet, Miniconjou, Sans Arc, and Two Kettle Sioux	2,590
Ute (Absentee)	[d] 371
Crow Creek School—	
Lower Yanktonai Sioux	997
Flandreau School—	
Flandreau Sioux	275
Lower Brule School—	
Lower Brule Sioux	469
Pine Ridge School—	
Oglala Sioux	6,758
Rosebud School—	
Brule Sioux	5,096
Sisseton School—	
Sisseton and Wahpeton Sioux	1,994
Yankton School—	
Yankton Sioux	1,753

[a] Report of 1907.
[b] Report of 1906.
[c] Estimated.

Texas:	
Not under an agent—	
Alabama, Muskogee, and Cushatta	[e] 470
Utah:	
Shivwits School—	
Paiute	125
Uintah and Ouray Agency—	
Uintah Ute	444
Uncompahgre Ute	460
White River Ute	298
	1,202
Not under an agent—	
Paiute	[f] 370
Washington:	
Colville School—	
Columbia Moses	521
Colville (south half)	418
Kalispel (nonreservation)	95
Lake and Colville	294
Nespelem	45
Nez Perce (Joseph's Band)	97
Oknanogan	538
Sanpoil	189
Spokan	504
Wenatchi (nonreservation)	66
	2,767
Cushman School—	
Chehalis	148
Clallam (Jamestown)	217
Clallam (Port Gamble)	99
Georgetown	124
Nisquali	146
Puyallup	461
Quaitso (Queet-see)	55
Quinaielt (Taholah)	231
Skokomish	185
Squaxon Island	93
	1,759
Neah Bay School—	
Hoh	54
Makah	407
Ozette	25
Quileute	226
	712

[d] Report of 1908.
[e] United States Census, 1900.
[f] From Report of 1905.

Washington—Continued.

Tulalip School—

Lummi	453
Muckleshoot	163
Suquamish (Port Madison)	181
Swinomish	267
Tulalip (remnants of many tribes and bands)	444
	1,508

Yakima School—

Klikitat, Yakima, and Wisham (Confederated Yakima)	2,679

Not under an agent—

Nooksak	[a] 200

Wisconsin:

Keshena School—

Menominee	1,509
Stockbridge and Munsee	593
	2,102

Wisconsin—Continued.

Lac du Flambeau School—

Chippewa	687

La Pointe School—

Chippewa at—

Bad River	1,147
Grand Portage	324
Lac Courte Oreille	1,373
Red Cliff	470
Rice Lake	189
	3,503

Oneida School—

Oneida	2,301

Wittenberg School—

Winnebago	1,270

Not under an agent—

Pottawatomie	440

Wyoming:

Shoshoni School—

Arapaho	861
Shoshoni	840
	1,701

TABLE 8.—*Allotments approved during fiscal year ended June 30, 1910.*

Reservation.	Number of allotments.	Acres.
Cheyenne River	445	105,071.64
Coeur d'Alene	637	103,911.53
Crow	11	2,242.16
Flathead	57	5,682.61
Jicarilla	797	354,294.00
Lac Courte Oreille	2	79.40
L'Anse and Vieux de Sert	18	1,320.00
Makah	[a] 373	3,730.00
Muckleshoot	4	202.00
Navajo	1,176	187,281.94
Osage, surplus	2,230	400,216.20
Pine Ridge	965	338,415.36
Port Madison	10	1,009.50
Public domain	1,178	178,608.28
Sioux ceded tract	216	68,578.12
Spokane	626	64,564.12
Standing Rock	1,275	360,012.71
Stockbridge and Munsee	167	8,920.00
Truckee-Carson	316	3,160.00
Umatilla	3	226.00
White Earth (original)	215	21,301.82
White Earth (additional)	271	16,812.84
Total	10,992	2,225,640.23

[a] Report of 1903.

TABLE 9.—*Total allotments to June 30, 1910.*

	Number of allotments.	Allotted.	Unallotted.	Total area of reservations.[a]
		Acres.	Acres.	Acres.
On reservations	185,150	30,381,810	41,052,047	71,433,857
On public domain	5,251	711,837		
Total	190,401	31,093,647	41,052,047	71,433,857

[a] Exclusive of area reserved for agency, school, church, and other purposes.

TABLE 10.—*Applications for patents in fee from May 8, 1906, to July 1, 1910.*

Number approved from May 8, 1906, to July 1, 1910	4,797
Number denied from May 8, 1906, to July 1, 1910	1,249
Area of lands covered by patents approved	478,975

TABLE 11.—*Sales of inherited lands and lands of noncompetent Indians during fiscal year ended June 30, 1910 (exclusive of Five Civilized Tribes).*

Class of land.	Number of tracts.	Acres.	Total proceeds.	Average price per acre.
Inherited	873	129,359.61	$1,956,315.92	$15.12
Noncompetent	520	82,655.80	1,245,639.96	15.07
Total	1,393	212,015.41	3,201,955.88	15.10

TABLE 12.—*Sale of Kaw and Osage lands from March 3, 1909, to June 30, 1910.*

[Act of March 3, 1909, 35 Stat., 778.]

Reservation.	Number of tracts.	Acres.	Total proceeds.	Average price per acre.
Kaw	15	2,278.22	$33,130.00	$14.54
Osage	17	1,896.46	33,328.60	17.57
Total	32	4,174.68	66,458.60	15.92

TABLE 13.—*Five Civilized Tribes, sales of allotted lands to June 30, 1910.*

Nation.	Area.	Average price per acre.	Amount received.
	Acres		
Cherokee	11,372	$12.21	$138,872
Chickasaw	7,132	10.08	71,910
Choctaw	38,199	8.94	340,614
Creek	80,554	16.28	1,311,374
Total	137,257	11.88	1,862,770

TABLE 14.—*Five Civilized Tribes, allotted lands from which restrictions have been removed to June 30, 1910.*

Nation.	Act of July 1, 1902.	Act of Apr. 21, 1904.	By operation of law, Aug. 8, 1907.	Act of May 27, 1908.	Town-site removals, Mar. 3, 1903.	Total.
	Acres.	*Acres.*	*Acres.*	*Acres.*	*Acres.*	*Acres.*
Cherokee	....	313,500	....	[a] 2,955,976	3,036	3,272,512
Chickasaw	207,700	299,000	....	2,579,134	1,187	3,087,021
Choctaw	229,600	317,400	....	2,935,982	3,515	3,486,497
Creek	73,110	549,480	364,680	979,403	6,849	1,973,522
Seminole	....	....	....	....	....	([b])
Total	510,410	1,479,380	364,680	9,450,495	14,587	11,819,552

[a] Includes 440,000 acres tentatively allotted to minors enrolled under act of April 26, 1906.
[b] No land alienable pending issuance of deeds.

TABLE 15.—*Mineral leases in Oklahoma on restricted Indian lands—Production and royalties, 1899 to 1910, inclusive.*

Product.	Five Civilized Tribes.		Osage.		Total.	
	Production.	Royalty.	Production.	Royalty.	Production.	Royalty.
Oil ... barrels	101,489,177	$4,707,983	26,776,692	$1,387,377	128,265,869	$6,095,360
Gas	([a])	63,589	([a])	13,893	([a])	77,482
Coal ... tons	32,834,799	2,776,320	....	....	32,834,799	2,776,320
Asphalt ... do	48,482	25,596	....	....	48,482	25,596
Miscellaneous	([b])	1,910	....	....	([b])	1,910
Total	....	7,575,398	....	1,401,270	....	8,976,668

[a] Not reported. [b] Brick, rock, gravel, and limestone.

TABLE 16.—*Mineral leases on Shoshone Reservation, Wyo.—Production and royalties, 1907 to 1910, inclusive.*

Product.	Production.	Royalty.
Oil ... barrels	290	$29.00
Coal ... tons	158,472	26,833.44
Total	....	26,862.44

TABLE 17.—*Statement of individual Indian moneys for fiscal year ended June 30, 1910.*

On hand July 1, 1909:		
In hands of disbursing officers	$1,905,725.21	
In bonded banks to credit of individual Indians	4,716,896.88	
		$6,622,622.09
Receipts:		
Allotments leased for farming and grazing	1,389,597.19	
Allotments leased for mining (oil and gas)	1,417,709.75	
Allotments leased for business purposes	182.50	
Bids on allotments	[a] 6,540,924.53	
Bids on timber on allotments	692,318.30	
Pupils, outing earnings, and deposits	80,256.75	
Interest on individual deposits	176,016.05	
Miscellaneous sources	287,694.55	
		10,584,699.62
Total on hand and received		17,207,321.71

[a] Net receipts from sales of allotments, $3,820,772.59.

Disbursements:

Paid direct to Indians by disbursing officers	$2,393,159.72	
Returned to unsuccessful bidders	2,720,151.94	
Checks drawn by Indians on bank accounts	2,543,597.60	
		$7,656,909.26
Total balance on hand June 30, 1910:		
In hands of disbursing officers	2,676,381.36	
In bonded banks to credit individual Indians	6,874,031.09	
		9,550,412.45
Total disbursed and on hand		17,207,321.71
Amount of bonds in force on June 30, 1910, to secure bank deposits of individual Indian moneys		10,094,500.00

TABLE 18.—*Area of the territory of the Five Civilized Tribes June 30, 1910.*

Nation.	Total.	Reserved for— Town sites.	Coal and asphalt segregation.	Railroad rights of way.	Schools. Tribal.	Schools. Mission.	Churches and cemeteries.	Other purposes.	Allotted.	Unallotted and unreserved.
	Acres.	*Acres.*	*Acres.*	*Acres.*	*Acres.*	*Acres.*	*Acres.*	*Acres.*	*Acres.*	*Acres.*
Cherokee	4,421,889	9,531	....	12,000	605	56	635	2	4,348,760	50,300
Chickasaw	}11,660,225	23,823	7,839	8,382	4	800	189	3,881	}8,312,900	a2,840,000
Choctaw		20,121	426,111	12,379	30	640	272	2,854		
Creek	3,079,083	10,694	....	4,590	408	....	235	86	2,999,400	63,670
Seminole	366,159	635	....	639	640	....	14	655	360,790	2,786
Total	19,527,356	64,804	433,950	37,990	1,687	1,496	1,345	7,478	16,021,850	2,956,756

a Includes proposed forest reserve, 1,370,000 acres; excludes segregated coal and asphalt tract, 445,000 acres.

TABLE 19.—*Estimated value of agency and school properties, June 30, 1910, exclusive of Five Civilized Tribes.*

	Area of sites.	Sites.	Buildings and improvements.	Furniture and fixtures.	Live stock.	Farming tools and vehicles.	Miscellaneous.	Total.
	Acres.							
Agency	85,039	$1,509,638	$1,121,205	$74,732	$128,404	$107,640	$346,449	$3,288,068
School	93,473	3,502,361	7,400,053	638,194	296,215	166,697	896,190	12,899,710
Total	178,512	5,011,999	8,521,258	712,926	424,619	274,337	1,242,639	16,187,778

TABLE 20.—*Area and estimated value of lands allotted and unallotted June 30, 1910, exclusive of area reserved for agency, school, church, and miscellaneous purposes.*

	Area.			Value.		
	Allotted (trust patent).	Unallotted (tribal).	Total.	Allotted (trust patent).	Unallotted (tribal).	Total.
	Acres.	*Acres.*	*Acres.*			
Reservations	30,381,810	41,052,047	71,433,857	$340,263,545	$132,179,952	$472,443,497
Public domain	711,837	....	711,837	(a)	....	(a)
Total	31,093,647	41,052,047	72,145,694	340,263,545	132,179,952	472,443,497

a No available data on which to base valuation.

TABLE 21.—*Financial statement for year ending June 30, 1910, exclusive of individual Indian moneys.*

In Treasury and hands of disbursing officers July 1, 1909	$55, 677, 680. 93
Received during year	17, 688, 765. 48
	73, 366, 446. 41
Disbursed	18, 560, 291. 53
Balance on hand June 30, 1910	54, 806, 154. 88
	73, 366, 446. 41

TABLE 22.—*Summary of vital legislation and important decisions during fiscal year ended June 30, 1910.*

LEGISLATION.

I. GOVERNMENT AND PROTECTION OF INDIANS.

A. ALLOTMENTS.

Special agents, superintendents, or agents may make allotments under regulations to be prescribed by the Secretary of the Interior. (Sec. 9, act of June 25, 1910, 36 Stat. L., 855.)

Allotments under general allotment act shall be made as follows:

(1) Not to exceed 80 acres of agricultural or 160 acres of grazing land.

(2) If lands have been or can be brought within an irrigation project, not to exceed 40 acres of irrigable land. (Sec. 17, act of June 25, 1910, 36 Stat. L., 855.)

B. LEASES.

Allotments held under trust patents may be leased for not to exceed five years, subject to regulations to be prescribed by the Secretary of the Interior. (Sec. 4, act of June 25, 1910, 36 Stat. L., 855.)

C. SALE.

Where an allotted Indian dies prior to expiration of trust period, the Secretary of the Interior shall ascertain the heirs on notice and a hearing. If lands can be partitioned, patents in fee can be issued to competent heirs and lands of incompetent heirs may be sold. The deferred-payment plan provided for. After payment of purchase price in full, patent in fee shall be issued to purchaser. (Sec. 1, act of June 25, 1910, 36 Stat. L., 855.)

This provision does not apply to Oklahoma.

D. WILL.

Except in Oklahoma allotted Indians over 21 years of age have right to make wills disposing of allotment, but no such will shall have any force or effect unless and until it shall have been approved by the Commissioner of Indian Affairs and the Secretary of the Interior.

E. TIMBER.

The sale of the mature living and dead and down timber on unallotted Indian lands, except in Minnesota and Wisconsin, the proceeds of the sale to be used for the benefit of the Indians of the reservation, is authorized by section 7, act of June 25, 1910 (36 Stat. L., 855.)

The timber on restricted allotted lands may be sold by allottee with consent of the Secretary of the Interior and the proceeds paid to the allottee or used for his benefit. (Sec. 8, act of June 25, 1910, 36 Stat. L., 855.)

F. IRRIGATION.

The Secretary of the Interior is given the discretionary power to reserve from location, entry, sale, allotment, or other appropriation any lands within any Indian reservation valuable for power or reservoir sites. He may also cancel any trust patent for any allotment which may be located within any power or reservoir site or upon lands required for irrigation purposes after proper reimbursement and upon condition that the allottee be granted other lands. (Secs. 13 and 14, act of June 25, 1910, 36 Stat. L., 855.)

II. Government of the Indian Country.

A. CONTRACTS.

It is unlawful to induce any Indian to execute any contract, deed, or mortgage to convey any land or any interest therein held by the United States in trust, or to offer same for record. (Sec. 5, act of June 25, 1910, 36 Stat. L., 855.)

DECISIONS.

U. S. *v.* J. P. Allen et al.

The United States has the right to appear as party plaintiff in suit in the federal court to recover restricted lands illegally sold by allottees of the Five Civilized Tribes. (Judge Amidon's decision of June 8, 1910; U. S. Court of Appeals, eighth circuit.)

U. S. *v.* Celestine (215 U. S., 278).

Legislation of Congress must be construed in favor of the Indians.

In the absence of subjection in terms of the individual Indian to state civil and criminal jurisdiction, and a denial of further jurisdiction by the United States, a statute will not be construed as a renunciation of jurisdiction by the United States of crimes committed by Indians against Indians on Indian reservations.

U. S. *v.* Sutton (215 U. S., 291).

Congress has power to prohibit the introduction of liquor into the Indian country. The limits of an Indian reservation are not changed by allotments in severalty during trust period, and where allotments are subject to restrictions as to alienation the prohibition against liquor continues to be effective.

O